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# Draft Comments Report for Commissioners

Topic	Old rule section	Company	Suggestion/comment	Location	Reason for comment	Response
Alternative Regulation Plans		Frontier (including Rhinelander)	The existing alt reg service quality plans should continue to apply regardless of any rule changes.	Page 2	The alternative regulation plan, as a package, better serves the public interest than generic rules.	<p>Agree, clarification added.</p> <p>Alternative regulation plans require providers to observe PSC 165. When the new rule goes into effect, there may be direct conflicts between the plan and the rule. The provider must abide by both. To do so, the provider must meet the more stringent of the two requirements, and in doing so will also meet the less stringent.</p> <p>For example, if the plan calls for a 20 day notice before doing something and the new rule requires a 30 day notice before doing that action, the provider must give notice 30 days in advance. In doing so the provider will also meet the 20 day requirement.</p> <p>However, a provider may request that its plan differ from the rule, either as an explicit part of a new plan or by requesting modification of an existing plan.</p> <p>Agree, clarification added.</p> <p>Alternative regulation plans require providers to observe PSC 165. When the new rule goes into effect, there may be direct conflicts between the plan and the rule. The provider must abide by both. To do so, the provider must meet the more stringent of the two requirements, and in doing so will also meet the less stringent.</p> <p>For example, if the plan calls for a 20 day notice before doing something and the new rule requires a 30 day notice before doing that action, the provider must give notice 30 days in advance. In doing so the provider will also meet the 20 day requirement.</p> <p>However, a provider may request that its plan differ from the rule, either as an explicit part of a new plan or by requesting modification of an existing plan.</p>
Alternative Regulation Plans		TDS Telecom	Companies with alternative regulation plans are also required to abide by these rules. State how conflicts between rules and plan provisions will be handled.	Pg. 5-6	Needs to be clarified.	

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Alternative Regulation Plans		WSTA	Clarify how new rules interact with existing alternative regulation plans.			<p>Agree, clarification added.</p> <p>Alternative regulation plans require providers to observe PSC 165. When the new rule goes into effect, there may be direct conflicts between the plan and the rule. The provider must abide by both. To do so, the provider must meet the more stringent of the two requirements, and in doing so will also meet the less stringent.</p> <p>For example, if the plan calls for a 20 day notice before doing something and the new rule requires a 30 day notice before doing that action, the provider must give notice 30 days in advance. In doing so the provider will also meet the 20 day requirement.</p> <p>However, a provider may request that its plan differ from the rule, either as an explicit part of a new plan or by requesting modification of an existing plan.</p> <p>Agree in part. The commission has reconsidered applicability issues as part of its review of individual rule sections. While it is generally important for all customers to be assured of a basic level of service quality, provisions were added in some sections to provide an exemption for business customers with contracts. We have also limited applicability of a very small number of provisions to business customers with three or fewer lines.</p>
Applicability		AT&T	The rules should be limited to residential and small business users, i.e., fewer than three single access voice grade lines.	Page 3 - 4	<p>Treating all businesses the same fails to recognize that not all consumers need the same kind of protection.</p> <p>Customers with three or more lines generally have the sophistication and resources to protect their interests and need the freedom to negotiate a service agreement that is tailored to their business needs.</p> <p>Including medium and large size businesses will unnecessarily create new costs for providers who will need to set up procedures to track, handle and maintain additional reports, records and other information. The costs of establishing special procedures for these business customers will cause increased billing and service charges that will be passed onto customers.</p>	

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Applicability	AT&T		The proposed rules should exempt CLECs or, if not, be re-examined piece by piece to determine specifically which sections should be applied to CLECs.	Page 5 - 8	<p>Failure to do so ignores the fact that ILECs currently possess far more market power than CLECs and that CLECs face competitive pressures to which ILECs are not subjected.</p> <p>Historically, consumer protection rules were a surrogate to competition. Where there is only ILEC service, there still needs to be regulation. Where there is competition, that will replace regulation.</p> <p>Marketplace pressures to satisfy customers is an adequate and effective substitute for agency regulation.</p> <p>Barrier to entry, could retard development of competition. Puts CLECs at competitive disadvantage by burdening with requirements that should be directed at ILECs.</p> <p>Rules don't take into account the fact that CLEC service may be dependent on ILEC.</p> <p>CLEC or IXC not based in WI will not be able to generate service quality data that is specific to WI and to comply will require significant and expensive modifications to their operations.</p> <p>CLEC's ability to meet standards in the rule is dependent upon the equipment or technicians employed by an ILEC.</p>	<p>Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. Certain changes have been made based on a CLEC's possible dependence on ILECs.</p>
Applicability	AT&T		Differentiate between ILEC, and CLEC or IXC.	Page 9-10	<p>CLEC or IXC not based in WI will not be able to generate service quality data that is specific to WI and to comply will require significant and expensive modifications to their operations.</p> <p>CLEC's ability to meet standards in the rule is dependent upon the equipment or technicians employed by an ILEC.</p>	<p>Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs), in other sections it is important for all customers to be assured of a basic level of service quality.</p> <p>If a company does not have Wisconsin specific service quality data, it can submit the national data with an explanation of why it's representative of Wisconsin data. The national data must meet the Wisconsin specific standards. For example: If all customer's service calls are handled by one service center, the data from that center may be considered representative of Wisconsin data.</p>



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Applicability	Charter Communications	The proposed rules should be rejected. If not rejected, they should not apply to CLECs.	Pages 1-4 & 13-14	Placing good players in the same class as bad players through substantially increased regulation removes or, at a minimum, substantially reduces the market incentives that are considered necessary for competitors to enter a market.	Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs), in other sections it is important for all customers to be assured of a basic level of service quality.	
				A competitor should be able to offer a service which is inferior in quality to another provider. The customer has the right to accept or reject all such choices.		
				The proposed rules penalize competitors by dictating a service level equal to that of the essential service provider.		
				When regulation forces a competitor to choose between offering services identical to and on parity with the incumbent monopoly and offering a truly competitive service, the customer is not served.		
				The application of the revised rules to competitive providers will severely stifle competition in Wisconsin. Consumers will not enjoy a competitive market as long as regulation blocks competitive entry.		
Applicability	CUB	Treat different types of providers differently rather than trying to impose parity. (for example: don't require CLECs to issue service quality credits)	Page 1	Applying to CLECs could be a barrier to entry and, so, anti-competitive. Customer of CLEC can switch if dissatisfied, thus the market provides an adequate remedy.	The Commission has reconsidered applicability issues as part of its review of individual rules sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs), in other sections it is important for all customers to be assured of a basic level of service quality.	

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Applicability	Marquette-Adams Telephone Coop		All providers being subject to the same standards is an improvement (but these rules don't allow room for individuality.)	Pg. 2	Levels the playing field.	The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.
						These rules have minimum standards. A provider can always express individuality by offering a higher level of service.
Applicability	Powercom		Small CLEC providers should be exempt from PSC 165.	page 3	Problem is with ILECs and big companies, keep focus there. Don't let the problems of the monopolies punish CLECs.  Too small to spread increased costs over large number of customers.  Would have to move resources from customer service to compliance administration.  Fix what's wrong. Deal with habitually problematic companies individually.	While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.
Applicability	Cwest		Do not apply to standard business customers (over 20 lines).	Pgs. 1-3	Not necessarily plausible to apply same rules to large business customers.  Large business customers have the sophistication and resources to evaluate their choices.  Applying the rules can interfere with negotiating a contract.	Agree in part. The commission has reconsidered applicability issues as part of its review of individual rule sections. While it is generally important for all customers to be assured of a basic level of service quality, provisions were added in some sections to provide an exemption for business customers with contracts. We have also limited applicability of a very small number of provisions to business customers with three or fewer lines.

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Applicability	SBC Ameritech		Decrease rather than increase, regulation.	Pg 1-12	<p>No proof these are necessary. rely on competition to ensure customer service.</p> <p>This level of regulation prevents providers from differentiating themselves by what they offer (including what level of service.)</p> <p>On many, costs to providers far outweigh any consumer benefit.</p>	<p>The Commission has received service quality complaints concerning a number of different providers. Further, these rules are quite old and certain additions were necessary to address situations that did not arise in a monopoly environment.</p> <p>The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.</p> <p>These rules have minimum standards. A company can always differentiate itself by offering service better than these minimums.</p> <p>The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.</p>
Applicability	SBC Ameritech		Apply to all providers.	Pgs. 2-4	<p>No justification for applying to some but not others. The customer protection concerns are either important for all consumers in the state or not.</p> <p>Level playing field necessary for effective competition. ILECs burdened with costs of regulatory compliance while competitors are not.</p>	<p>The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.</p>
Applicability	TDS Metrocom		If applies to all providers, add language to clarify that the rule applies to all telecommunications providers except where otherwise indicated.	Page 13	<p>This is necessary to avoid any confusion where certain provisions of ch. PSC 165 are addressed only to utilities.</p>	<p>This is already built into the rule through the use of the defined terms "provider" and "utility". The Commission reviewed to make sure that the technical sections of the rule all clearly identify that they only apply to utilities.</p>

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Applicability	TDS Metrocom		Should not be applicable to all providers or, at least, certain sections should not be. If certain sections are exempted, the exemption should be automatic.	Pages 1- 13	No need demonstrated. Micro-managing doesn't promote competition.  Different levels of regulation are warranted due to different levels of market power. Should be tailored to those with a history of problems.	Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.
Applicability	TDS Metrocom		The rules should be revised to establish a presumption that CLECs be granted an exemption from those portions of the rules related to service intervals and credits when CLECs rely on the facilities and/or services provided at wholesale by other carriers.	Page 12	Barrier to entry for those with fewer resources to comply, so disproportionate impact on CLECs. Anti-competitive because makes CLECs change the way they do business. Cited many sources to support argument that ILECs and CLECs are not similarly situated.  CLEC customer can always change providers.  Stifles competition and makes it economically unfeasible to provide residential service.	Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.
Applicability	TDS Telecom		Do not apply to CLECs	Pg. 4	In such case, service is not under the control of the CLEC.  Revised rules will dampen CLEC willingness and ability to enter new markets.  Shouldn't increase regulation, customers can "vote with their feet."	Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality. Customers cannot always "vote with their feet" as competition does not exist in all areas of the state.

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Applicability		Time Warner Telecom of Wisconsin, L.P.	Clarify that certain provisions of the proposed rule do not apply to CLECs or modify the rule to make clear that CLECs do not have a carrier of last resort obligation.	Page 11	<p>The rules, as proposed, appear to impose carrier of last resort obligations on all providers, including CLECs.</p> <p>The Commission has recognized that CLECs will not be providing services to all potential customers in a given area (see TWTC's certificate) and it has not required them to do so.</p> <p>Imposing a carrier of last resort obligation would stop the development of competition in its tracks.</p>	<p>Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.</p> <p>Under this rule, providers that are neither an ILEC nor an ETC do not have provider of last resort obligations, but they do have certain obligations to the customers they choose to serve.</p>

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Applicability		Time Warner Telecom of Wisconsin, L.P.	The rules, especially the quality of service sections, including the crediting and waiver mechanisms, shouldn't apply to CLECs.	Page 2, Page 3-9	<p>Applying these rules to CLECs wouldn't promote effective competition. Since TWTC was not a member of IPWGA and, to his knowledge, no facilities-based CLEC was a member of this group, the Commission should examine the issue at this time.</p> <p>The realities of the marketplace justify treating different providers differently. Consumer choice should regulate CLEC quality of service.</p> <p>The rules should recognize the different circumstances of incumbents and competitors. At present, no CLEC can exert sufficient market influence on the large ILECs that would affect the latter's service quality behavior. CLECs have no market power and, therefore, cannot afford to offer poor service.</p> <p>Given the dominant market power of the incumbents, limiting application of the rules to ILECs will ensure a broad reach for the quality of service standards without creating additional barriers to competitive entry.</p> <p>There is no existing track record that suggests extending the rules to CLECs is anything other than an arbitrary decision. The Commission should observe the behavior of new CLECs and investigate CLEC service quality issues in order to objectively assess whether additional regulation of CLECs is necessary. If it is found CLEC rules are needed, they can focus on the specific problems identified.</p> <p>Imposing quality of service</p>	<p>Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.</p> <p>Applying certain portions of this rule to CLECs is not a new practice, and is necessary since the Commission has received a number of complaints about service quality concerning a number of different types of providers.</p>

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						standards on CLECs would be counterproductive. The complex reporting systems needed to comply with such standards act as a barrier to market entry. Complying with quality of service standards will deter CLECs from entering the small business, residential and low-income markets. The cost of regulation will be a sacrifice of customer choice.
						CLECs have every motivation to meet and exceed consumer expectations irrespective of any regulatory requirements.
						There is no evidence to suggest that anything has changed with respect to the CLEC's conduct, performance and compliance with Commission rules.
						The proposed rule, as applied to facilities-based CLECs like Time-Warner, are unwarranted, costly and unnecessary due to:
						<ol style="list-style-type: none"> <li>1. the service history of TWTC</li> <li>2. the CLEC's reliance on Ameritech to provision adequate wholesale service</li> <li>3. the increase in costs to end users without any corresponding benefit</li> <li>4. the chilling impact these rules would have on new entrants.</li> </ol>
						CLEC service quality may depend on ILEC performance.

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Applicability		WorldCom, Inc.	The rules shouldn't apply to residential and business customers in the same way.	Page 3	Business customers, particularly the large ones, are fully capable of protecting their own interests.	Agree in part. The commission has reconsidered applicability issues as part of its review of individual rule sections. While it is generally important for all customers to be assured of a basic level of service quality, provisions were added in some sections to provide an exemption for business customers with contracts. We have also limited applicability of a very small number of provisions to businesses with three or fewer lines.
Applicability		WorldCom, Inc.	There should be a different level of regulation for CLECs and ILECs.	Page 4	In some instances, the proposed rules constitute a barrier to CLEC entry or will result in immediate non-compliance for CLECs already offering local phone service in WI by imposing impossible standards for the CLEC to meet and impose excessive costs on potential competitors.	Agree in part. The Commission has reconsidered applicability issues as part of its review of individual rule sections. While changes were made in some sections (including changes recognizing potential CLEC dependence on ILECs) , in other sections it is important for all customers to be assured of a basic level of service quality.
					ILECs are still monopolies for the provision of most services.	
					Regulation is a surrogate for competition. As competition develops, these is less of a need for regulation.	
					There is less of a need to regulate CLECs than ILECs because CLECs must provide services that are better in quality and price or they won't attract customers.	
Application for service	165.0301	AT&T	Clarify whether this section applies just to residential service.	Page 15	It is unclear.	Agree. Change made to clarify that this section of the rule will apply to residential customers.



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Application for service	165.0301	SBC Ameritech	It should be left to the individual providers to implement a policy that allows the provider to obtain the documentation needed to adequately confirm the identity of customer and their ability to pay.	Page 17	There is no demonstration in the record of this proceeding that existing privacy laws and rules are insufficient in the context of the telecommunications industry.	Agree in part. Change made to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current military card, passport or visa.
					There is no need for the Commission to expand on these requirements or to micromanage providers' acquisition of information they reasonably need to determine whether a customer is an acceptable credit risk, and to act accordingly, by declining to provide service in the appropriate case, by requiring a service restriction, deposit or deferred payment agreement commensurate with the risk, or by providing service without any such restrictions.	ILECs and ETCS should not be able to deny service based on an applicant's credit-worthiness.
Application for service	165.0301 (1)	WSTA	End sub (a) with "and shall be furnished to customers." Delete the rest of this rule section.	Page 6	WSTA believes that sub (a) is sufficient for the rule section on application of service.	Agree in part. The requirement that a nondiscriminatory policy be included in the provider's tariff or filed with the Commission will be deleted. The language referencing the requirement to furnish the nondiscriminatory policy to all customers will be deleted. Language will be added to specify that providers must make the policy available upon request.
					The third and fourth sentences of sub(1) regarding the non-discriminatory policy for requesting information will be moved to paragraph c where additional information is discussed.	
Application for service	165.0301 (1)(a)	AT&T	Delete or revise.	Page 15	This information only needs to be available in a provider's tariff or web site.  Mailing such a statement to existing residential and business customers annually would be burdensome and expensive.  It is not clear what purpose is served by providing existing customers with a policy statement about application for new service.	Agree. Will revise so that non-discriminatory policy is provided only if additional information is required during the application process and only if requested by the customer.

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Application for service	165.0301 (1)(a)	Charter Communications	Delete entire section. If not deleted, revise to eliminate any requirement to distribute a non-discriminatory policy for requesting application information.	Page 6	The requirement to have a non-discriminatory policy for requesting application information is another example of unnecessary micro-management.	Agree in part. The requirement that a nondiscriminatory policy be included in the provider's tariff or filed with the Commission will be deleted. The language referencing the requirement to furnish the nondiscriminatory policy to all customers will be deleted. Language will be added to specify that providers must make the policy available upon request.
Application for service	165.0301 (1)(a)	TDS Metrocom	Revise to eliminate the requirement that providers need to have a written, nondiscriminatory policy be "acceptable to the commission."	Pages 18-19	This implies some kind of Commission approval process, for which there are no procedures or standards set forth and which would create an additional regulatory requirement for providers.	The third and fourth sentences of sub(1) regarding the non-discriminatory policy for requesting information will be moved to paragraph c where additional information is discussed. Agree. Requiring a policy to be "acceptable to the commission" wasn't intended to imply a formal commission approval. Removed language to clarify.
Application for service	165.0301 (1)(a)	TDS Metrocom	Revise to extend the written, nondiscriminatory policy to the determination of those customers that are eligible for service.	Page 19	CLECs must be free to deny service to applicants who cannot demonstrate an ability to pay for the service, so long as such denials are based on written, non-discriminatory policy.	Agree in part. Deleted language referencing the requirement to furnish the nondiscriminatory policy to all customers and added language to specify that providers must make the policy available upon request. CLECs will be allowed to request information in order to determine a customer's creditworthiness, but will still be required to have a non-discriminatory policy for that process.
Application for service	165.0301 (1)(a)	WorldCom, Inc.	Providers should not be required to develop non-discriminatory policy for requesting the application information allowed under par.(c), and should not be required to obtain Commission approval for said policy.	page 7	General prohibitions on discrimination provide adequate protections.	Agree in part. Deleted language referencing the requirement to furnish the nondiscriminatory policy to all customers and added language to specify that providers must make the policy available upon request. Added language allowing CLECs to request information in order to determine a customer's creditworthiness. CLECs will still be required to have a non-discriminatory policy for that process. Requiring a policy to be "acceptable to the commission" wasn't intended to imply a formal commission approval. Removed language to clarify.

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Application for service	165.0301 (1)(b)	AT&T	Disagrees with information limits that would interfere with doing a credit check.	Page 15	Providers should be able to request and obtain sufficient information necessary to perform an independent credit check with a credit bureau to determine creditworthiness.	Agree. Added language allowing CLECs to request information in order to determine an applicant's creditworthiness. CLECs will be able to refuse or deny service for failure to provide additional information other than that listed.
Application for service	165.0301 (1)(b)	Charter Communications	The proposed rules should not limit the information a CLEC can require for application.	Page 6 - 7	Doing so is, in essence, creating an ETC responsibility on competitive providers where it cannot do so.	Agree. Added language allowing CLECs to request information in order to determine an applicant's creditworthiness. CLECs will be able to refuse or deny service for failure to provide additional information.
Application for service	165.0301 (1)(b)	Chibardun Telephone and CTC Telecom	Telcos need ability to request information that determines credit-worthiness.	Page 3	By enacting rules that prevent a telco from obtaining information that helps us determine the credit risk of an individual, or that prevents us from obtaining information that assists in the collection of a debt when it is incurred, will increase the rates of customers who pay. The rule will result in increased bad debt.	Agree in part. ILECs and ETCs should not be able to deny service based on an applicant's credit-worthiness. However, the proposed rules will be modified to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current U.S. military card, current passport or visa.
Application for service	165.0301 (1)(b)	Frontier (including Rhinelander)	Carriers should not be prohibited from verifying the identity and credit-worthiness of all applicants for service.	Page 3	This would put carriers at an increased risk of uncollectible revenue and fraud.	Agree in part. ILECs and ETCs should not be able to deny service based on an applicant's credit-worthiness. However, the proposed rules will be modified to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current U.S. military card, current passport or visa.
Application for service	165.0301 (1)(b)	Marquette-Adams Telephone Cooperative	Objects to not being able to require a customer's social security number or driver's license number.	Page 3	Frontier suggest that carriers be allowed to obtain this information, and that subpart (b) be expanded by adding the following language: 7. Information to verify the identity and credit-worthiness of the applicant. "This will not allow us to identify who the customer is. This leaves the telcos at an extreme disadvantage over its competition.	Agree in part. ILECs and ETCs should not be able to deny service based on an applicant's credit-worthiness. However, the proposed rules will be modified to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current U.S. military card, current passport or visa.

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Application for service	165.0301 (1)(b)	Northeast Telephone Company	Allow telcos to require information to determine credit-worthiness.	Page 5	By not allowing a telephone company to determine a customer's credit-worthiness or to verify the applicant's identity the burden of risk to the telco is increased. The increase in unpaid bills will fall on all customers.	Agree in part. ILECs and ETCs should not be able to deny service based on an applicant's credit-worthiness. However, the proposed rules will be modified to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current U.S. military card, current passport or visa.
Application for service	165.0301 (1)(b)	Powercom	Either exempt smaller telcos from the rule or include language that permits telco to obtain info in order to use customer's credit report.	Page 1	Limiting required customer information to the items included in this section will create serious problems.  Their small customer base will not permit them to take credit risks that would be acceptable to large telcos. Limiting customers to those with proven credit records is key to their survival.	Agree. Added language allowing CLECs to request information in order to determine an applicant's creditworthiness. CLECs will be able to refuse or deny service for failure to provide additional information.
Application for service	165.0301 (1)(b)	Qwest	Add a provision that allows a company to ask for one of the following to use for future verification needs: social security number, mother's maiden name, or date of birth.	Pgs. 5-6		Agree in part. Providers already may ask for such information according to their non-discriminatory policies, but changed so that ILECs/ETCs cannot refuse service for failure to provide such information.
Application for service	165.0301 (1)(b)	SBC Ameritech	Allow providers to request information to determine credit-worthiness.	Matrix page 6-7	In order to assess whether a new customer would be an acceptable credit risk, or to determine whether deposits are necessary or the amount of the deposit, providers need to be able to efficiently determine creditworthiness of applicants.  Not allowing providers to require social security numbers and other information necessary or useful in obtaining efficient verification of identity and creditworthiness would require SBC/Ameritech to revert to the cumbersome process of verifying identity and creditworthiness by these less efficient and more expensive means.	Agree in part. ILECs and ETCs should not be able to deny service based on an applicant's credit. However, change made to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current U.S. military card, current passport or visa.

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Application for service	165.0301 (1)(b)	SBC Ameritech	Incorporate SBC Ameritech's definition of "basic telephone service."	Matrix Pages 7-8	"Basic telephone service" means essential telecommunications services under s PSC 160.03(2) when such services are provided over a primary access line to residential customers, or over access lines to business customers with three or fewer access lines.	Agree in part. We didn't accept SBC's definition, but limited applicability of this section to residential customers.
Application for service	165.0301 (1)(b)	TDS Metrocom	Revise to clarify that only ILECs and ETCs are limited in the information they can require of applicants.	Page 19	As new entrants, CLECs must be able to determine an applicant's ability to pay-and that applicant's likelihood of paying-prior to providing telecommunications services.	Agree. Added language allowing CLECs to request information in order to determine an applicant's creditworthiness. CLECs will be able to refuse or deny service for failure to provide additional information.
Application for service	165.0301 (1)(b)	Verizon	Add 7. to read, "Form of identification such as state issued photo ID card, driver's license, U.S. military card, passport or visa."	Page 8	This addition is required to avoid fraud such as identity theft.	Agree. Change made to include this suggestion.
Application for service	165.0301 (1)(b)	WorldCom, Inc.	Delete or if not deleted, revise so that providers can require information that can be used to verify the identity and residency and creditworthiness of an applicant.	Page 8	CLECs need to be able to verify an applicant's identity and residency and should be permitted to deny service to applicant's whose creditworthiness does not meet the CLECs standards.  Providers should be free to determine the information they deem most relevant in evaluating a potential customer's suitability - especially as it relates to creditworthiness.  All providers need access to information regarding verification of identity and/or residency of an applicant whether or not there is a bill owing at the premises where new service is requested .	Agree in part. Change made allowing a provider to require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current U.S. military card, current passport or visa. Added language allowing a provider to request proof of residency in situations where there's an outstanding bill at the service address. Added language allowing CLECs to request information in order to determine an applicant's creditworthiness.

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Application for service	165.0301 (1)(b)	WSTA	Allow telcos to request information to prove credit-worthiness.	Page 6	The proposed rules only allows telcos to request information that easily can be provided fraudulently over the phone. It doesn't allow a telco to request any information that establishes a prospective customer's identity or credit-worthiness.	Agree in part. ILECs and ETCs should not be able to deny service based on an applicant's credit-worthiness. Change made to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current military card, current passport or visa.
Application for service	165.0301 (1)(b)2.	Verizon	Add "or previous business address."	Page 7-8	This will result in telcos extending service to people who have no ability or intention to pay for service.	Disagree. This addition is not necessary as this section of the proposed rules will only apply to residential service.
Application for service	165.0301 (1)(b)6	Wisconsin State Telecommunications Association	Add language to clarify the provider can verify that the person identified is willing to pay the bill.	Page 14		Agree. Change made.
Application for service	165.0301 (1)(c)	TDS Metrocom	The reference to disconnecting service should be deleted from this section, and covered in a separate and distinct provision dealing only with disconnection.	Page 20	Appropriate rules for disconnection of existing customers must be treated separately from issues related to applications for new service and the ability of a CLEC to deny service to applicants who pose an unacceptable risk of non-payment.	Agree. Deleted disconnection language here but retained language regarding refusal of service. Added cross-reference to the Refusal of service section for clarity.
Application for service	165.0301 (1)(c)	TDS Metrocom	Revise to preclude only ILECs and providers that have been designated as eligible telecommunications carriers (ETCs) from refusing service for failing to provide requested information in addition to that enumerated in paragraph (b).	Page 20		Agree in part. Didn't limit to ILECs and ETCs but added language so CLECs can request information to determine an applicant's creditworthiness.

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Application for service	165.0301 (1)(d)	SBC Ameritech	Eliminate.	Matrix Pages 8-9	An inability to confirm identity and creditworthiness will burden customers by requiring them to demonstrate who they are and that they can pay for the service through other mechanisms.	Agree in part. ILECs and ETCs should not be able to deny service based on an applicant's credit-worthiness. Change made to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current military card, current passport or visa.
Application for service	165.0301 (1)(d)	SBC Ameritech	Delete to eliminate credit risks.	Matrix page 6-7	Providers will be exposed to credit risks that are unacceptable in a framework of less regulation and more competition, particularly when fewer and fewer providers can overcome such risks through regulated rates.	Agree in part. ILECs and ETCs should not be able to deny service based on an applicant's credit-worthiness. Change made to indicate that a provider may require an applicant to provide a form of identification such as a government issued photo identification card, driver's license, current military card, current passport or visa.
Application for service	165.0301 (1)(e)	AT&T	Revise. A provider should not be limited to requiring verification of identity only when an applicant has an unpaid bill.	Page 15		Agree. Change made.
Application for service	165.0301 (1)(e)	SBC Ameritech	It is a benefit to the customer and the provider to verify the identity of an applicant.	Matrix Page 9	Non-government issued documents are inherently less reliable and obtained or altered through fraud.	Agree. Change made to indicate that the photo identification needs to be issued by a government agency.
Application for service	165.0301 (1)(e)	SBC Ameritech	As written, the photo identification card would not need to be a government issued document.	Matrix Pages 9-10		
Application for service	165.0301 (1)(e)	TDS Metrocom	Do not allow either rental agreements or mail to be used to determine residency.	Matrix Page 20	Rental agreements are not a reliable means of verifying residence without verification, since rental agreements can be easily falsified. Mail is similarly ineffective for determining residence, since a person can choose to receive mail at an address without residing there.	Agree in part. The reference to mail was removed from the proposed rules.
Application for service	165.0301 (1)(e)	TDS Metrocom	The birth certificate must be a United States birth certificate	Page 20		Disagree. A birth certificate from a foreign country may be the only identification an applicant has.
Application for service	165.0301 (1)(e)	TDS Metrocom	The driver's license must be a driver's license from within the United states	Page 20		Disagree. A foreign driver's license may be the only photo ID the applicant has to prove identity.

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Application for service	165.0301 (1)(e)	TDS Metrocom	The letter of identification must be one from a social service agency only, not an employer.	Page 20		Disagree. One is as acceptable as the other.
Application for service	165.0301 (1)(e)	TDS Metrocom	Revise to exclude "bank statements and mail, including envelopes with a postmark for the time period in question" as an adequate means of verifying residency.	Pages 20-21	With the current technology of laser printers, these items are too easy to falsify.	Agree. The reference to "bank statements" and "mail" was removed from the proposed rules.
Application for service	165.0301 (1)(e)	TDS Metrocom	The photo identification card must be one issued by a federal, state, or local government of the United States.	Page 20		Agree. Change made to indicate that the photo identification needs to be issued by a government agency.
Application for service	165.0301 (1)(f)	SBC Ameritech	Do not require confirmation of receipt of service to a third party that establishes service.	Matrix Page 10	SBC/Ameritech currently sends a "fulfillment letter" to confirm service once the application is accepted. An application confirmation would have limited value in cases where service is not ultimately provided.	Agree. Change made to indicate that a confirmation only needs to be provided when the decision has been made to provide the service.
Application for service	165.0301 (1)(g)	TDS Metrocom	Revise to limit the obligation to offer the option of an installment payment agreement on the service installation charge to only ILECs and ETCs.	Page 21	CLECS should not be required to incur the significant costs of establishing service to a customer who is not able to pay the ordinary and customary charges paid by other customers.	Agree in part. Change made to require a provider to make an installment payment agreement on service installation charges available upon customer request.
Application for service	165.0301 (2)	AT&T	Delete this item or limit to local service providers.	Page 15	Can't impose toll restriction when the only service being ordered is toll.	Agree. Since these rules do not apply to long distance carriers, there is already an exclusion.



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Application for service	165.0301 (2)	SBC Ameritech	Clarification only: Suggested language: A provider may not refuse service but may restrict an applicant's toll or extended community calling service, or both, for 10 days to investigate and establish the applicant's responsibility for any outstanding bill from the provider. The provider shall remove the restrictions after 10 days if the provider is not clearly able to establish the applicant's responsibility for any outstanding bill from the provider.	Matrix Page 10		Agree. Change made to reflect the suggested language.
Application for service	165.0301 (2)	TDS Metrocom	Revise to clarify that it only is applicable to ILECs and ETCs	Page 21	As new entrants, CLECs must be able to refuse service to applicants who cannot pay. A CLEC is not a carrier of last resort and should not be so treated.	Agree in part. Didn't limit to ILECs and ETCs but added language so CLECs can request information to determine an applicant's creditworthiness.
Application for service	165.0301 (2)	Time Warner Telecom of Wisconsin, L.P.	Revise to allow a CLEC to decline service: 1. when the service isn't in the CLEC's service area, 2. if the service is a type of service not offered by the CLEC 3. if providing service would require the use of facilities or services not available to the CLEC.	Page 11 - 12	Requiring CLECs to provide all types of service in every location to every customer is contrary to the intent of TAG6 and the development of competition.	Disagree. The proposed rule does not require a CLEC to provide a service it doesn't offer or serve a customer outside of its service territory.
Application for service	165.0301 (3)	AT&T	Revise language. The language is too broad and potentially negates the right to refuse service for failure to pay or establish a dpa on an arrearage if the customer continues to be an occupant of the premises.	Page 16		Agree. Added language to clarify that this doesn't apply if the previous customer is still an occupant of the premises. Also added a note to cross reference the Disconnection and Refusal sections of the rule which contain language allowing service to be refused or disconnected for "failure to pay or establish a deferred payment agreement under s. PSC 165.0404 for service received by a previous customer at the premises to be served, if the previous customer continues to be an occupant of the premises."

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Application for service	165.0301 (3)	Chibardun Telephone and CTC Telecom	Do not allow an applicant to obtain the phone number previously assigned to a location. This will enable fraud.	Page 3	This will enable fraud.	Disagree. Rule language addresses responsibility for the delinquent account but doesn't require or prevent a provider from transferring the number. Added language to clarify that this section doesn't apply if the previous customer is still an occupant of the premises. Also added a note to cross reference the Disconnection and Refusal sections of the rule which contain language allowing service to be refused or disconnected for "failure to pay or establish a deferred payment agreement under s. PSC 165.0404 for service received by a previous customer at the premises to be served, if the previous customer continues to be an occupant of the premises."
Application for service	165.0301 (3)	Northeast Telephone Company	Do not allow an applicant to obtain the phone number that had previously been assigned to a customer at the same location. This would allow fraud when someone new applies for service where there is an outstanding bill.	Page 5	This would allow a customer to set up service at an address, not pay their bill, be disconnected, and usually within hours after the disconnection, someone new will apply for service at the same location. This would allow fraud when someone new applies for service where there is an outstanding bill.	Disagree. Rule language addresses responsibility for the delinquent account but doesn't require or prevent a provider from transferring the number. Added language to clarify that this section doesn't apply if the previous customer is still an occupant of the premises. Also added a note to cross reference the Disconnection and Refusal sections of the rule which contain language allowing service to be refused or disconnected for "failure to pay or establish a deferred payment agreement under s. PSC 165.0404 for service received by a previous customer at the premises to be served, if the previous customer continues to be an occupant of the premises."
Application for service	165.0301 (3)	SBC Ameritech	Delete. This provision might be incorrectly read as creating a "right" to the transfer of the of a telephone number from one customer to another residing at the same premises.	Matrix Page 10	This provision might be incorrectly read as creating a "right" to the transfer of the of a telephone number from one customer to another residing at the same premises. It would allow name switching between roommates.	Disagree. Rule language addresses responsibility for the delinquent account but doesn't require or prevent providers from transferring the number. Added language to clarify that this section doesn't apply if the previous customer is still an occupant of the premises. Also added a note to cross reference the Disconnection and Refusal sections of the rule which contain language allowing service to be refused or disconnected for "failure to pay or establish a deferred payment agreement under s. PSC 165.0404 for service received by a previous customer at the premises to be served, if the previous customer continues to be an occupant of the premises."

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Application for service	165.0301 (3)	TDS Metrocom	Delete. It would permit relatives and/or roommates to continue to receive service despite unpaid bills by switching the account into a different name.	Page 21	It would permit relatives and/or roommates to continue to receive service despite unpaid bills by switching the account into a different name. Additionally there is no absolute right to the telephone number.	Disagree. Rule language addresses responsibility for the delinquent account but doesn't require or prevent a provider from transferring the number. Added language to clarify that this section doesn't apply if the previous customer is still an occupant of the premises. Also added a note to cross reference the Disconnection and Refusal sections of the rule which contain language allowing service to be refused or disconnected for "failure to pay or establish a deferred payment agreement under s. PSC 165.0404 for service received by a previous customer at the premises to be served, if the previous customer continues to be an occupant of the premises."
Application for service	165.0301 (3)	WorldCom, Inc.	The rule should be revised to incorporate an exception for situations where the applicant resided at the same location with the previous account holder.	Page 8	This provision creates the potential for fraud.	Agree. Added an exception for situations where the previous customer is still an occupant of the premises. Also added a note to cross reference the Disconnection and Refusal sections of the rule which contain language allowing service to be refused or disconnected for "failure to pay or establish a deferred payment agreement under s. PSC 165.0404 for service received by a previous customer at the premises to be served, if the previous customer continues to be an occupant of the premises."
Application for service	165.0301 (4)(a)	AT&T	Delete. This section requires providers to provide information in addition to that which is required by Federal rules. This would be burdensome.	Page 16	This section requires providers to provide information in addition to that which is required by federal rules. This would be burdensome.	Disagree. Providing the applicant with the reason service was denied is reasonable, and providing the Commission's toll free telephone number to applicants who request it should not be burdensome. It is unreasonable to expect that states will not have some state-specific requirements. However, language was revised so commission contact information need only be provided if requested by the applicant.
Application for service	165.0301 (4)(a)	TDS Metrocom	Revise to clarify that it only is applicable to ILECs and ETCs.	Page 22	CIECs should be allowed to check the credit of applicants as long as the credit checks and service denial are done on a non-discriminatory basis according to a written policy.	Disagree. Providing the applicant with the reason service was denied is reasonable. However, language was revised so commission contact information need only be provided if requested by the applicant.
Billing recording equipment malfunctions	165.0210	AT&T	Revise.	Page 15	There's confusion as to whether this section applies to a "utility" as stated or if it applies to carriers as well since it refers to toll service.	This is a technical standard not addressed in this rulemaking.

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Business office answering time standards	165.0606	AT&T	It is unclear whether the standards in this section must be met with respect to service rendered to WI customers only or all customers service by the provider, including customers in other states.  It would be costly and burdensome to reconfigure AT&T's existing tracking system to compile the data necessary for demonstrating compliance with these standards on a state-specific basis.	Page 29	There is no current capability to separate, track and report this data on a state-by-state basis.  It would be costly and burdensome to reconfigure AT&T's existing tracking system to compile the data necessary for demonstrating compliance with these standards on a state-specific basis.	Disagree. A significant number of other states have business office answer time standards. Call centers should be able to distinguish the origin of calls. If the state-specific data cannot be separated, the overall data may be sufficient. Providers can request that the Commission adopt this different requirement under PSC 165.0101(2)(b).
Business office answering time standards	165.0606	Frontier (including Rhineland)	Eliminate the requirement.	Page 7	Carriers that do not have automated answering systems will be unable to comply with this detailed expectation.	Disagree. Carriers without automated answering systems have less stringent requirements in subsections 165.0606(2)(b).
Business office answering time standards	165.0606	Powercom	Small CLEC providers should be exempt.	Page 3	There is no need to regulate Powercom's already excellent customer service.  Introducing new cost elements forces reductions in high customer service levels, which is the one business element that distinguishes Powercom from other telcos.	Disagree. These standards are minimum standards and those providing higher levels of service are not affected.
Business office answering time standards	165.0606	SBC Ameritech	Eliminate or revise these standards.	Matrix page 57	A monthly measure is too restrictive and not in line with the reality of the business cycle. An annual standard aligns with the true aspects of the marketplace and provides a good performance benchmark that takes into consideration cyclical business needs..	Disagree. Degradation of service is not the proper business response to predictable business cycle variations. A one month period is also the basis for the electric industry rules.
Business office answering time standards	165.0606	SBC Ameritech	Eliminate or revise these standards.	Matrix page 57	The Electric utility standard has a dual measure for both VRUs and live agents.	Agree in part. Some revisions made. Telecommunications carriers without automated answering systems have less stringent requirements in subsections 165.0606(2)(b).

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Business office answering time standards	165.0606	SBC Ameritech	The proposed 90 second average answer time for "live" response would be an extremely demanding standard.	Matrix page 60	Because customers do not call the business office on an "average" basis.  Because of the non-linear nature of the average speed of answer measure.	Disagree. The published standard was 60 seconds. That is the reason why an average is used rather than an absolute time limit for each call. While there may be variations that cause short periods of large call volumes, a month's period should be sufficient to make adjustment and answer calls in a reasonable time on average.
Business office answering time standards	165.0606	SBC Ameritech	Eliminate or revise these standards.	Matrix page 57	Because of the significant variations that minor changes in our business and external conditions can have on our average speed of answer.  The Electric industry standard includes repair and emergency calls. The telecommunications industry already has a more stringent 20-second standard for such calls.	Agree in part. Some Revisions made. The rules for the Telecom industry also provide separate standards for repair, directory assistance and operator services.
Business office answering time standards	165.0606	SBC Ameritech	Eliminate the requirement to measure "connection speed."	Matrix page 59	This measure is not consistent with the PSC's Electric rules.	Agree. Change made.
Business office answering time standards	165.0606	SBC Ameritech	Eliminate or revise these standards. An 80 second telecommunications standard should be established for a combined Voice Response Unit and live agent business office answer speed measured on an annual basis.	Matrix page 57	An 80 second telecommunications standard should be established for a combined Voice Response Unit and live agent business office answer speed measured on an annual basis.	Agree in part. Rewritten to allow for ringing time, queuing, message response and agent answering. While there may be variations that cause short periods of large call volumes, a month's period should be sufficient to make adjustment and answer calls in a reasonable time.
Business office answering time standards	165.0606	SBC Ameritech	This proposed rule would prevent providers from distinguishing their customer service attributes.	Matrix Page 56	The Commission should establish a simple, minimum standard that will allow providers, in a competitive environment, to differentiate their customer service attributes.	Disagree. These standards are minimum standards and those providing higher levels of service are not affected.
Business office answering time standards	165.0606	SBC Ameritech	These standards should not apply during events that are outside the provider's control.	Matrix page 60	Add language that the standards would not apply during natural disasters, severe weather, or other events beyond the utility's control that adversely impact the provider's telephone answering capabilities.	Disagree. The rules provide for averaging over a month's period. Not being able to meet the standards under brief extraordinary circumstances should not significantly affect performance overall.

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Business office answering time standards	165.0606	SBC Ameritech	Eliminate the requirement to measure "connection speed."	Matrix page 59	Connection speed cannot be measured in SBC Ameritech's call centers. The amount of time from when a caller releases the last number from their CPE to when the call is actually connected to call center equipment would need to be traced through the various switches associated with the telephone network.	Agree. Change made.
Business office answering time standards	165.0606	SBC Ameritech	The rules should not apply to providers that do not have computerized call center systems.	Matrix page 60	Suggest adding language that the requirements do not apply to a utility or its agent that do not use a computerized call center system.	Disagree. Carriers without automated answering systems have less stringent requirements in subsections 165.0606(2)(b).
Business office answering time standards	165.0606	Sharon Telephone Company	Eliminate this requirement. Our existing arrangement for live response works well.		During normal business hours our office telephones are answered promptly by a live person. After hours when the office is closed these calls are forwarded to a live answering service. Our existing arrangement works well.	Disagree. Standards already differentiate between live versus automated answering. These standards are minimum standards and those providing higher levels of service are not affected.
Business office answering time standards	165.0606	WorldCom, Inc.	The Commission should limit its requirements to those required to protect public health and safety. Answering time less than one minute are unnecessary to protect the public health and safety.	page 26 - 27	Competitive business service providers should be free to determine the customer service levels that will best enable them to compete with existing providers.	Disagree. The public has reason to expect prompt answering of calls when access to a provider to transact business is primarily by phone. These standards are minimum standards and those providing higher levels of service are not affected.
Business office answering time standards	165.0606	WSTA	Eliminate this provision. At least one standard, "connection speed" required in (1)(b) cannot be measured.	Page 14	At least one standard, "connection speed" required in (1)(b) cannot be measured.	Agree in part. "Connection speed" eliminated.

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Business office answering time standards	165.0606	WSTA	Eliminate this provision. Some companies will be unable to perform the required measurements.	Page 14	Some companies will be unable to perform the required measurements without adding some type of equipment specifically for that purpose. Others would need to devise a way to differentiate between business-office calls and repair calls. Yet others would need to devise a way to separate calls from various states.	Disagree. The current rules have repair answer time standards. If other calls are not separately handled, a provider should already be meeting those standards and would meet these standards. A significant number of other states have business office answer time standards. Call centers should be able to distinguish the origin of calls. If the state-specific data cannot be separated, the overall data may be sufficient. Providers can request that the Commission adopt this different requirement under PSC 165.0101(2)(b).
Business office answering time standards	165.0606 (1)(b)	Verizon	Delete definition of connection speed and Delete section that establishes an average connection speed standard.	Page 29-30	Connection speed is not a relevant measure, is ambiguous at best and has no reasonable basis for determination.  Verizon does not have total control of the time between the last digit dialed by the customer and the connection to Verizon's ACD.	Agree. Change made.
Business office answering time standards	165.0606 (2)(a)	Verizon	15 rather than a 6.3 seconds is a more reasonable standard for connection speed.	Page 30	Many calls received by Verizon's ACD are transported through other carriers' networks, leaving them subject to any network outages or delays on those networks.  Verizon has no mechanized means of tracking or recording the time it takes a dialed call to connect to its call centers.  Verizon is unaware of any problems or concerns that would warrant the measurement of "connection speed."  Verizon does not have total control of the network.	Agree in part. Connection speed no longer a separate measure -- it is part of answer speed.
Business office answering time standards					This standard does not account for any FCC or Commission mandated recordings notifying customers that their calls may be recorded and ask if their records may be accessed.	

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Business office answering time standards	165.0606 (2)(a) & (b)	WorldCom, Inc.	Delete (2)(a) and (b). WorldCom does not measure connection speed or answer speed for calls answered by our automated systems and there is no "queuing time" for these automated calls.	page 26	WorldCom does not measure connection speed or answer speed for calls answered by our automated systems. There is no "queuing time" for these automated calls, as the automated system responds immediately to the selected prompts.	Agree in part. Connection speed is no longer a separate measure -- it is part of answer speed. Answer speed for automated systems, however, is a standard in many other states. These standards are minimum standards and those providing higher levels of service are not affected.
Business office answering time standards	165.0606 (2)(b) & (c)	Verizon	Delete and replace with suggested language. There is no reason to have two business office answering standards - one for calls to an ACD and one for calls answered by agents.	Page 30	There is no reason to have two business office answering standards - one for calls to an ACD and one for calls answered by agents.  As a price-regulated utility, Verizon is currently subject to an industry-wide standard for business office average answer speed of 60 seconds which was determined to be reasonable by the WI PSC based on use in other states.  In other Verizon states, the standard ranges from 60-90 seconds.  Verizon has no mechanized means to track the timing from the point a live response is requested to the point connection is made to an agent. To measure this would require labor intensive manual studies and would be based only on samples.	Agree in part. Some changes made that address live agent answering in automated systems. Nevertheless, quality controls on customer service demand that businesses track how long a customer must wait for a live service rep. Many systems now announce to the customer about how long the wait will be.
Business office answering time standards	165.0606 (2)(c)	WorldCom, Inc.	The average answer speed for calls answered by an agent should be increased from 60 seconds to 180 seconds.	page 26	No reason given.	Disagree. While some customers may experience such hold times, or longer, an average hold time of three minutes is too long.



<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Business office answering time standards	165.0606 (4)	Verizon	Revise as "If a provider uses a computerized call center system, the provider shall calculate the average answer speed for the business office monthly. The monthly results shall be combined and measured on an annual basis."	Page 31	These changes reflect Verizon's suggested deletions of the connection speed measurement and two separate measure for answer speed, and also reflect that the relevant measurement is on an annual basis.	Disagree. Customers should have reasonable answer times regardless of the month of the year. The electric industry rules require monthly measure of answer time.
Customer billing	165.0401	AT&T	Remove language that is duplicative of federal "Truth-in-Billing Requirements."	Page 23	This section contains unnecessary additions, modifications, and deletions to the federal rules applying to IXC carriers.	Disagree. It is unreasonable for telcos to expect that states will never vary from federal Truth in Billing language. Existing rules also include provisions not in the federal Truth in Billing rules.
Customer billing	165.0401	AT&T	Section is confusing in scope. It appears to apply to all providers but only makes sense in the context of local service providers.	Page 23		Disagree. The rules only apply to the provision of local service.
Customer billing	165.0401	Powercom	Limit application of this subchapter to large telcos.	Page 2	Rigid procedures represent an administrative nightmare.  Would impose unreasonable requirements and restrictions that threaten the existence of small to medium-sized telcos.	Disagree. This section of the rules is applicable to all providers.
Customer billing	165.0401	SBC Ameritech	Reduce the quantity and complexity of information on the bills.	Page 13	The proposed rules would result in a dramatic increase of the quantity and complexity of information on the bills.	Disagree. The proposed rules combine some aspects of the current rules with the federal Truth-in-Billing rules. The information required should be in no greater volume or complexity than that already required.
Customer billing	165.0401	Sharon Telephone Company	The billing process is too lengthy.	Page 2	The billing process as stated would not be effective.	Disagree. The proposed rules combine some aspects of the current rules with the federal Truth-in-Billing rules. The information required should be in no greater volume or complexity than that already required.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer billing	165.0401	WSTA	This section fails to distinguish between information specific to a certain bill and "standing" information pertinent to all bills. The information in subsections 5 through 7 is standing information more appropriately published in a separate document for general distribution or in a directory or provided to a customer upon request.	Page 9	The information in subsections 5 through 7 is standing information more appropriately published in a separate document for general distribution or in a directory or provided to a customer upon request.	Disagree. A separate document is not appropriate for the distribution of this information.
Customer billing	165.0401 (1) - (13)	SBC Ameritech	The required bill is not concise.	Matrix Page 33	Customers desire a concise bill that is easy to read and understand. The requirements of this rule section deviate from this customer-centered principle.	Disagree. The proposed rules combine some aspects of the current rules with the federal Truth-in-Billing rules. The information required should be in no greater volume or complexity than that already required.
Customer billing	165.0401 (1) - (8)	Charter Communications	Delete. The federal Truth-in-Billing rules are comprehensive and well thought out. Implementation of state-specific rules increases the cost of service for the customers in that disparate market.	Page 9 - 10	The federal Truth-in-Billing rules are comprehensive and well thought out. All providers are required to comply with them.	Disagree. While it is recognized there is overlap, the federal Truth-in-Billing rules do not cover all the billing issues related to service provided in Wisconsin. It is unreasonable for telcos to expect that states will never vary from federal Truth in Billing language. Existing rules also include provisions not in the federal Truth in Billing rules.
Customer billing	165.0401 (10)	Verizon	Wants clarification as to whether this section should refer to calling cards issued by the provider rather than credit cards that may be issued by VISA or MasterCard.	Page 24-25	Call detail for calls made using a VISA or MasterCard would appear on that credit card company's billing statement and not Verizon's monthly bill to the customer.	Agree. The rule language was changed from "credit card" to "calling card." Language added to indicate that "calling card" means any calling card the provider is billing for.
Customer billing	165.0401 (10)	WorldCom, Inc.	The term "credit card calls" should be replaced with "calling card calls."	Page 18	So that the bill accurately reflects the type of calls that are billed to the customer's phone bill.	Agree. The rule language was changed from "credit card" to "calling card." Language added to indicate that "calling card" means any calling card the provider is billing for.
Customer billing	165.0401 (10)	WorldCom, Inc.	Revise to allow the provider to furnish tax information regarding these calls upon customer inquiry.	Page 18	WorldCom's billing systems are not programmed to subfocal taxes by bill section. It would be expensive and inefficient to develop state-specific systems for this purpose.	Agree in part. Call detail for information should be provided with information regarding toll calls. Language moved to that section. The proposed rule language was changed in this section to remove the reference to taxes.

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Customer billing	165.0401 (11)	WorldCom, Inc.	Add language so that these requirements don't apply where toll calls are not billed on an itemized basis.	Page 19	The information required in this section would be unnecessary for providers offering a flat-rated, integrated product offering such as WorldCom's The Neighborhood.	Agree. Change made so section applies to toll billed on a usage-sensitive basis.
Customer billing	165.0401 (11)(f)	Verizon	Delete the second sentence requiring toll billings to contain the per-minute price of a toll call that is not billed at a per-minute rate.	Page 24	This is another example of unnecessary and costly micro-management.  Verizon's billing systems do not have the capability to mechanically calculate this information for carriers or for its own toll plans, nor could the systems even receive the data.  Systems programming to install and maintain such information would be very costly.  It could be impossible for Verizon's systems to generate data for threshold toll plans with different discounts at different levels of usage.  Verizon would have similar problems with block-of-time toll plans.  Flat rate calls may have an indeterminate length making it impossible to comply with such a requirement.  Most importantly, Verizon customers are not asking for this data.  The burden to comply with this proposal is clearly outweighed by any customer need.	Agree in part. Change made to indicate that if the billable time increments are other than minutes the duration of the call measured in minutes shall also be provided.  Providers will be given an effective date one year in advance to change their contracts with other providers that are not currently furnishing information in the format that will be needed.

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Customer billing	165.0401 (11)(f)	WSTA	It is not possible to comply with this requirement.	Page 12	A LEC will not be able to report the duration of calls in a per-minute rate if they are billing for a third-party IXC that doesn't provide such a rate.	Agree in part. Change made to indicate that if the billable time increments are other than minutes the duration of the call measured in minutes shall also be provided.
Customer billing	165.0401 (12)	Charter Communications	Do not require detailed billing.	Page 10-11	The very fact that the PSC is raising the "less detailed bill" option indicates that a certain population of the customer base will not like nor appreciate the mandated detail.	Providers will be given an effective date one year in advance to change their contracts with other providers that are not currently furnishing information in the format that will be needed.
Customer billing	165.0401 (12)	Verizon	Add language allowing business customers to waive billing detail. See Verizon comments for proposed language for this section.	Page 14	Providing an alternate billing format for certain customers would be cost prohibitive.	Disagree. It is not logical to not provide the detail to any customer, if not requested by some customers.
Customer billing	165.0401 (13)	AT&T	Partial payments should first be applied to delinquent charges.	Page 23	This proposed change recognizes the fact that many business customers do not desire this type of detail in their billings.	Agree. The proposed rule currently allows customers to waive billing detail. This includes business customers.
Customer billing	165.0401 (13)	SBC Ameritech	The elimination of "current" would be in the customer's interest.	Matrix page 37	The current language is counterproductive to maintaining service. Applying partial payments to current charges first will cause customers to be disconnected for nonpayment of past due amounts.	Agree. Both references to the word "current" were removed from this section of the rule.
					The cost associated with this outweighs the purported benefit.	
					This would make past due deniable charges (and therefore disconnection) less likely, and would be consistent with SBC Ameritech's existing practice of applying partial payments to all deniable charges, whether current or past due, and then to the customer's non-deniable charges.	

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Customer billing	165.0401 (13)	Verizon	Delete. Combine partial payment option with PSC 165.0404(9). Deferred payment agreement. See page 23 for proposed language.	Page 14	If payments were applied per the proposed rules, the customer could still lose dial tone for nonpayment of the past due charges.	Agree. Both references to the word "current" were removed from this section of the rule.
Customer billing	165.0401 (13)	WorldCom, Inc.	Revise section to limit to residential service customers only.	Page 19	Verizon does not have the system capability to apply the payments in a specific manner depending on these different situations.	Disagree. Section will apply to all businesses except those with contracts for basic service.
Customer billing	165.0401 (14)	AT&T	Raise limit for late charges from 1% to 1.5%.	Page 23	Payment allocation rules should be limited to residential service customers only.	Disagree. Sections 138.05(1)(a) and 138.05(8) c Wis. Stats. do not allow providers to charge a late payment fee of more than 1 percent per month.
Customer billing	165.0401 (14)(a)	Verizon	Increase late payment charge from 1% to 1.5%.	Page 14	This is the rate used by other states and better reflects total provider costs incurred due to late payments.	Disagree. Sections 138.05(1)(a) and 138.05(8) c Wis. Stats. do not allow providers to charge a late payment fee of more than 1 percent per month.
Customer billing	165.0401 (14)(c)	Verizon	Delete language prohibiting application of late payment charges to dpa.	Page 14	This is a reasonable level for such a charge. Most states serviced by Verizon have a minimum late charge of 1.5%, with Indiana having 2.4% and Texas 5%.	Disagree. Providers will be allowed to charge late payment fees. They are not required to do so. The prohibition against charging late payment fees on DPAs is currently included in all other sections of the rules, i.e., PSC 113, PSC 134 and PSC 185. Compliance with these rules has not proved to be unworkable for utilities regulated under those sections of the Wis. Admin. Code.
Customer billing	165.0401 (15)	AT&T	Need to clarify what is meant by "third-party, non-utility" charges.	Page 23	Due to system limitations, Verizon is unable to prevent a late payment charge from being applied to a bill that has a deferred payment agreement.	Agree. Clarification added.
			Can the provider reinstate the charges at a later point if the dispute is found to be without merit?		The imposition of a late charge is an incentive to the customer to pay its bill by the due date.	
					Language is confusing.	

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Customer billing	165.0401 (15)	AT&T	Delete or clarify language referencing "automatic credit."	Page 23	Why should the provider be liable to provide an automatic credit for a dispute which may turn out to be without merit?	Disagree. If a provider chooses to bill for third-party non-utility charges, those charges need to be returned to their source for determination as to the merits of the dispute.
Customer billing	165.0401 (15)	SBC Ameritech	Compliance with the requirement to provide a mailing address for a third party vendor would not be possible.	Matrix page 37	Mailing addresses of third parties are not currently included in databases used for customer service, are often not available at Ameritech, and are often subject to change without notice. Providers should not have to assume the burden of keeping addresses up to date, when name and telephone number of the third party is sufficient for customers to make contact.	Language was clarified to indicate that once charges are removed from the local bill, they cannot be rebilled.  Agree. The reference to mailing address was removed from the proposed rules.
Customer billing	165.0401 (15)	SBC Ameritech	Compliance with the requirement to make disclosure concerning collection efforts from a third party vendor would not be possible.	Matrix page 37	Providers cannot know whether third parties will undertake collections, but can have an understanding of the third party's practice.	Agree. The last sentence in sub (15) was removed from the proposed rules. The requirement for the provider to advise the customer that "collection efforts may occur", contained earlier in this rule section, is sufficient.
Customer billing	165.0401 (15)	SBC Ameritech	The term "non-utility charge" needs to be defined in this section.	Matrix page 37		Agree in part. Did not define the term but revised so that it is not used in this section.
Customer billing	165.0401 (3(c) & (d)	WorldCom, Inc.	Add language so that these requirements don't apply where local calls and features are not billed on an itemized basis.	Page 16-17	The information required in these sections would be unnecessary for providers offering a flat-rated, integrated product offering such as WorldCom's The Neighborhood.	Agree. Language added to clarify that the requirement in (c) only applies to providers that charge on a per-call basis. Clarification added to (d) so that features included in a package are to be listed on the bill but not individual prices.

Having to create a new billing system just for WI would cause great hardship.

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Customer billing	165.0401 (3)(b)	SBC Ameritech	This section of the proposed rule does not allow a provider maximum flexibility	Matrix Pages 33-34	Use Ameritech's proposed definition of "basic telephone service." Allow providers maximum flexibility to create packages that respond to customer demand without the administratively burdensome requirement that providers disaggregate or attribute a portion of the price for basic telephone service.	Agree in part. The proposed rule language was changed to require disclosure of charges for basic local service charges, packages or flat rate charges depending upon what the provider offered.
Customer billing	165.0401 (3)(b) - (e)	TDS Metrocom	Revise to recognize that some providers do not provide service in the manner contemplated by the billing requirements in these paragraphs.	Page 30	Specifically CLECs offer certain services only as part of a package with other features, and consequently do not price each service separately.	Agree in part. The proposed rule language was changed to require disclosure of charges for basic local service charges, packages or flat rate charges depending upon what the provider offered.
Customer billing	165.0401 (3)(c)	AT&T	Delete for providers offering flat rate service.	Page 24	This provision fails to distinguish between measured service and flat rate service.	Agree. Language added to clarify that this requirement doesn't apply if unlimited local calling is provided at a flat rate.
Customer billing	165.0401 (3)(c)	Chibardun Telephone and CTC Telecom	The requirement to print the detail of all local calls would be very expensive to implement.	Page 4	There is no need to list the number of local calls completed when the charges for the service are flat rate and not based on minutes of use or number of calls completed.	Disagree. The only detail required to be provided is the count of local calls. Providing this information should not be burdensome to any provider.
Customer billing	165.0401 (3)(c)	Frontier (including Rhinelanders)	This should not be a requirement. Frontier's service is flat rate. They would not be able to provide the information regarding the number of calls.	Page 4-5	The billing system would need to be replaced. Also would increase the cost of paper for the bill and the postage for the mailing. Would result in increased cost to their consumers.	Agree. Language added to clarify that this requirement doesn't apply if unlimited local calling is provided at a flat rate.

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Customer billing	165.0401 (3)(c)	Marquette-Adams Telephone Cooperative	Providing this information would be difficult without engineering and probable switch upgrades. Our service is a flat-rate service. There is no record of individual customer calls.	Page 4		Agree. Language added to clarify that this requirement doesn't apply if unlimited local calling is provided at a flat rate.
Customer billing	165.0401 (3)(c)	Northeast Telephone Company	A company that does not charge per call should not have to supply this detail.	Page 6	The cost of supplying the detail is financially burdensome.	Agree. Language added to clarify that this requirement only applies to providers that charge on a per-call basis.
Customer billing	165.0401 (3)(c)	Wisconsin State Telecommunications Association	The number of completed calls shouldn't be required for companies providing flat-rate billing.	Page 26		Agree. Language added to the rules to clarify that this requirement only applies to providers that charge on a per-call basis.
Customer billing	165.0401 (3)(c)	WSTA	WSTA requests that the rules be revised to reflect that companies using a flat rate would not need to provide information regarding the number of completed local calls.	Page 9	This information is not necessary for customers that are charged a flat rate.	Agree. Language added to clarify that this requirement doesn't apply if unlimited local calling is provided at a flat rate.
Customer billing	165.0401 (4)	SBC Ameritech	Ameritech proposes a new section that would require providers that obtain billing services from third parties to be responsible in the first instance for furnishing accurate and timely customer activity records upon which bills are based.	Matrix page 34		Disagree. It appears this language is more appropriate for the contracts between the providers and the billing agents.
Customer billing	165.0401 (4)(b)	AT&T	Delete. PIC change notification and "new provider" information should not be a requirement imposed on IXC carrier billings.	Page 24		Agree. The proposed rules do not apply to the provision of IXEs service.



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Customer billing	165.0401 (4)(b)	Frontier (including Rhineland)	This requirement would be administratively burdensome.	Pages 4-5	The requirement to provide clear and conspicuous notification of any change in provider, including notification that a new provider has begun providing service, would require billing system changes and would require the provider to monitor customer bills for a rolling six-month period.	Disagree. The requirement to provide this information is contained in the federal Truth-in-Billing rules. "Pre-subscribed" added for clarification.
Customer billing	165.0401 (4)(b)	Wisconsin State Telecommunications Association	Add clarifying language to distinguish between new PIC and new provider.	Page 27-28		Agree. Change made.
Customer billing	165.0401 (4)(b)	WorldCom, Inc.	Replace "including a description of" with "such as."	Page 17	The requirement that the "notification should describe the nature of the relationship with the customer, including a description of whether the new provider is the presubscribed local exchange carrier" is too broad.	Agree. Language clarified to indicate the information that needs to be provided
Customer billing	165.0401 (4)(b)	WorldCom, Inc.	Insert "presubscribed" before the first reference to "provider" in the second sentence.	Page 17	This addition ensures that the requirements of this subsection do not apply to transactional charges, e.g., collect calls or 10-10-xxx calls, since it should apply only to ongoing charges, and not to one-time charges.	Agree. Change made.
Customer billing	165.0401 (5)	TDS Metrocom	Charges contained on bills should not need to conform to the "customer's understanding of" the prices to be charged.	Page 31	It would be impossible to comply as this is such a nebulous and subjective requirement. It could be interpreted to mean that a different bill might need to be issued to each customer.	Disagree. This requirement is contained in the federal Truth-in-Billing rules.

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Customer billing	165.0401 (6)	SBC Ameritech	Change definition of deniable and non-deniable charges to conform to Ameritech's proposed definition of "basic telephone service."	Matrix page 35	Providers offer packages of services where the packaged single-price service is made up of both deniable and non-deniable charges. Desegregation and identification of the components of the services as deniable and non-deniable would clutter bills, create unnecessary administrative burdens, and would cause confusion.	Disagree. The requirement to identify charges as deniable or non-deniable is contained in the federal Truth-in-Billing rules.  Listing an "exact calculation" of the charges as opposed to identifying the charges a customer can, or cannot, be disconnected for, does not meet the federal requirement.
Customer billing	165.0401 (7)	WorldCom, Inc.	Ameritech proposes listing an exact calculation of the deniable charges for customers so that they know the amount they must pay.	Page 17	Mandatory language advising customer of the right to dispute charges before paying them invites illegitimate "disputes" raised as a means of delaying and/or evading payment.	Agree in part. Sub(a) deleted. Did not delete the word "dispute from (b) since federal Truth-in-Billing rules contain similar language. The word "dispute" does not appear in (c).
Customer billing	165.0401 (7)(a)	Marquette-Adams Telephone Cooperative	Do not require a statement informing customers that they may dispute charges prior to payment.	Page 4	This is not required of any other small business.	Agree. Sub(a) deleted.
Customer billing	165.0401 (7)(a)	SBC Ameritech	This provision inappropriately requires providers to invite disputes as an alternative to prompt payment.	Matrix Page 35	Customers are sophisticated enough to call before payment with respect to disputed charges, and that in the overwhelming majority of cases, the disputed amounts are resolved to the customer's satisfaction.	Agree. Sub(a) deleted.
Customer billing	165.0401 (7)(b)	AT&T	Delete.	Page 24	Language is overbroad, ambiguous, vague and conveys a message that the provider "must be doing/will do something wrong."	Disagree. A similar requirement is contained in the federal Truth-in-Billing rules.

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Customer billing	165.0401 (7)(b)	SBC Ameritech	Delete the first sentence because it is vague.	Matrix Page 35	The sentence does not impose a requirement for any particular information and leaves providers to guess at the risk of violations and what they would need to have on the bill in order to satisfy the requirement.	Disagree. This requirement is contained in the federal Truth-in-Billing rules.
Customer billing	165.0401 (7)(b)	WorldCom, Inc.	Revise so that this provision applies only to mailed billings.	Page 17	CLECs should not be required to include a toll-free number on the online bills of customers who have agreed to online billing and customer service.	Disagree. While the efficiencies of electronic billing are recognized, providing the toll-free number on an electronic bill should not be burdensome to the provider. It gives the customer an additional source to be able to contact the provider. Provision of this information does not preclude a customer from contacting the provider electronically.
Customer billing	165.0401 (8)	Chibardun Telephone and CTC Telecom	Do not require a provider to furnish ECC detail unless the customer requests it and pays for it.	Page 4	Online customer service makes it possible for both the provider and the customer to save money, and the rates charged via online billing reflect this.	Also , the federal Truth-in-Billing rules do not distinguish requirements between paper billing and electronic billing.
Customer billing	165.0401 (8)	Northeast Telephone Company	Should not have to provide the detail for ECC calls.	Page 6		Agree in part. Providers may include ECC detail on customers bills. If they choose not to provide this detail, they must maintain the detail for a period of no less than 90 days, and provide it to customers upon request at no charge.
Customer billing	165.0401 (8)	Wisconsin State Telecommunications Association	This section appears to contradict docket 05-T1-119 in which call detail for ECC calls was not required.	Page 28-29		Agree. Change made so that providers may include ECC detail on customers bills. If they choose not to provide this detail, providers must maintain the detail for a period of no less than 90 days, and provide it to customers upon request at no charge.
Customer billing	165.0401 (8)	WorldCom, Inc.	Revise so that this provision applies only to ECC calls billed based on the number, duration, location and time of day that the call is placed.	Page 18	Providers offering flat-rate products should not be required to provide the detail related to that factor on the bill.	Agree. Providers may include ECC detail on customers bills. If they choose not to provide this detail, they must maintain the detail for a period of no less than 90 days, and provide it to customers upon request at no charge.
Customer billing	165.0401 (9)	AT&T	Revise to clarify that the section applies only to residential customers.	Page 24	No reason given.	Agree in part. Won't address applicability but will revise so that the only billing detail required is the number of directory assistance calls and the charge.

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Customer billing	165.0401 (9)	AT&T	Revise to require only date, time and applicable charge.	Page 23	The requirement to provide the number requested through directory assistance will necessitate software and systems development that will increase the price of DA services with no additional benefit to the consumer.	Agree. The requirement to provide this information on the bill will be removed from this rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.
Customer billing	165.0401 (9)	Charter Communications	Should not require bills to include the telephone number requested through directory assistance.	Page 10	This is another example of unnecessary micro-managing. The extremely limited benefit of this information simply does not justify the cost of implementing the same.	Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.
Customer billing	165.0401 (9)	Chibardun Telephone and CTC Telecom	Do not require the information regarding DA calls	Page 4	The information is not available from any company they purchase this service from.	Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.
Customer billing	165.0401 (9)	Chibardun Telephone and CTC Telecom	Do not require the information regarding DA calls	Page 4	This information is not needed or wanted by customers.	Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.
Customer billing	165.0401 (9)	Frontier (including Rhinelanders)	It would not be possible to comply with this requirement.	Pages 4-5	Frontier does not provide its own DA. Therefore the number the customer requests is not available to Frontier.	Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer billing	165.0401 (9)	Northeast Telephone Company	Do not require the information regarding DA calls.	Page 6	<p>We currently resell DA assistance that we buy from another provider. We cannot get this detail from them.</p> <p>This requirement would make our company change our billing system.</p> <p>The rule does not address customers who call DA and request 2 numbers or an address. This would be even more financially burdensome.</p> <p>The rule would take away a competitive differentiator.</p> <p>Customers do not want the detail for DA calls.</p>	<p>Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.</p>
Customer billing	165.0401 (9)	SBC Ameritech	Eliminate the requirement to list DA calls on a customer's bill.	Page 13	<p>This requirement would lengthen the customer's bill and add non-essential information to the bill detail.</p> <p>The cost and burden of this provision is disproportionate to the marginal benefit that it may bring to some customers.</p> <p>The number of customer's that would benefit from this is wholly disproportionate to the number of customers that will be annoyed or confused by this additional information.</p>	<p>Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.</p>
Customer billing	165.0401 (9)	TDS Metrocom	Bills should not need to include the telephone number that was requested from DA.	Page 31	<p>All providers may not be able to provide this information. The additional record keeping would be prohibitively expensive, and the resulting information would be potentially excessive to the point of adding additional pages to a bill.</p>	<p>Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.</p>

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer billing	165.0401 (9)	Wisconsin State Telecommunications Association	Revise language to reflect situations where the customer requests address information and not a telephone number.	Page 29-30		Agree. Change made so that call detail for directory assistance calls is not mandatory on customer bills.
Customer billing	165.0401 (9)	WorldCom, Inc.	Delete.	Page 18	WorldCom's billing systems are not programmed to list the number requested from directory assistance on the bill.  It would be expensive and inefficient to develop state-specific systems for this purpose.	Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.
Customer billing	165.0401 (9)	WSTA	Do not require detail of DA calls.	Page 9	Companies that resell directory assistance will be unable to provide the required information.	Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.
Customer billing - directory assistance calls	165.0401 (9)	TDS Telecom	Change so that the requirement is to list the number requested "when available" rather than all the time.	Pg. 9-10		Agree. The requirement to provide this information on the bill was removed from the proposed rule. A requirement to maintain and make this information available upon request for a 90 day period was added to 165.0201.
Customer billing - general	165.0401 (16)&(17)	SBC Ameritech	The proposed service quality adjustment recommendations are more stringent than necessary and may be impermissibly punitive.	Pages 20-21	The costs imposed on SBC Ameritech and other providers in implementing these proposed changes would be significant and unjustified. Those competitors furnishing poor service or inadequate credit plans or both will suffer; those who do not will thrive.	Disagree, although many changes have been made to this provision. Credit calculation has been changed. Credits are remedial and not punitive.
Customer billing - installation delay adjustment	165.0401 (17)	Charter Communications	Modify to account for time necessary to port numbers between providers.	Page 11	The installation standards established in these rules appear to have been written without knowledge of the usual time frame for porting numbers between providers.	Agree in part. A change has been made so that the installation deadlines do not apply to migrations so long as the customer does not lose dial tone. Migrations are the situations where porting arises.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer billing - installation delay adjustment	165.0401 (17)	Charter Communications	Section shouldn't apply to CLECs.  The installation schedule proposed in these rules will cause competitive providers to 1) turn away orders which it knows it cannot complete in the prescribed time frame 2) ignore the rules in order to complete the customer order knowing it will violate the time frame of the rules and be required to pay a fine for doing so. 3) dramatically increase its cost of doing business by firing additional installation staff required to meet the mandated install time frames.  The failure of certain providers to meet service installation commitments does not support the imposition of rules on all providers.  Non-ETC providers shouldn't be required to have standards for installation times - competition establishes what customers will tolerate.	Page 11	The installation schedule proposed in these rules will cause competitive providers to 1) turn away orders which it knows it cannot complete in the prescribed time frame 2) ignore the rules in order to complete the customer order knowing it will violate the time frame of the rules and be required to pay a fine for doing so. 3) dramatically increase its cost of doing business by firing additional installation staff required to meet the mandated install time frames.  The failure of certain providers to meet service installation commitments does not support the imposition of rules on all providers.  This section is an example of how the revisions seek to mandate ETC obligations onto non-ETC providers.  The effect of this rule is to attach ETC rules onto non-ETC providers.  Non-ETC providers shouldn't be required to have standards for installation times - competition establishes what customers will tolerate.	Disagree. The Commission has received some complaints about CLEC performance in this matter as well as some complaints about ILECs.  This rule does not require that the deadlines be met. That is, not meeting them is not a violation of the rule. However, it does recognize that there is a "cost" to the consumer when they are not met, and requires some relief when a provider doesn't meet them.  Additionally, exemptions have been developed and the section has been revised to deal with situations where the CLEC's performance is dependent on the ILEC.  Finally, the rule has been changed so that the deadlines do not apply when a line is migrated between providers, as long as the customer doesn't lose dial tone. Many CLEC "installations" will fit this category and, so, not be covered by these rules.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer billing - installation delay adjustments	165.0401 (17)	SBC Ameritech	If not deleted, replace (in part) with the following provisions if customer requests installation of basic service (defined by Ameritech as essential services, not vertical) but experiences delay of more than 5 days:  1/2 installation charges for installation completed more than 10, but less than fifteen business days after provider receives request.	matrix p. 40-41	Proposed adjustments are punitive. Paying more than 100% goes beyond compensation to customer.  Timeframes for adjustment escalation are unrealistic as many issues (right of way, infrastructure upgrades etc.) can result in delays through no fault of Ameritech.  Significantly more complex than credits in any other state in region, which makes implementation costs very high.	Disagree, although many changes have been made to this provision. Credit calculation has been changed. Credits are remedial and not punitive.  Exemptions have been added for situations in which the delay is not the "fault" of the customer's provider.  The suggested allowance of 10 days for an installation is excessive. For example, the average installation time in Wisconsin is 2 days according to the information in the FCC Automated Reporting Management Information System (ARMIS). (Although not all companies report to ARMIS, it is useful as a comparison.)
Customer billing - installation delay adjustments	165.0401 (17)	SBC Ameritech	Delete. Providers should be allowed to differentiate themselves.	Matrix pages 38-39	Providers should be allowed to differentiate their credit adjustments for customers not receiving basic telephone service to reflect the competitive pressures within the business sector of the marketplace. Anything more restrictive unjustifiably stifles innovation and product differentiation with the industry, unnecessarily restricting a competitive environment.	Disagree. These are minimum standards. Providers can always differentiate themselves by surpassing these minimums.



<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer billing - installation delay adjustment	165.0401 (17)	SBC Ameritech	If not deleted, replace (in part) with a provision saying adjustment doesn't apply if:  Non-primary line Instances in which special equipment is to be used in conjunction with the new service  Where provider is dependent upon a competing provider releasing the customer in the circumstances listed in (16)(b) as amended by Ameritech  Where customer requests an installation date later than 10 days (residential) or 15 days (business) if the provider is able and willing to provide new service within time frame which results in no adjustments.	matrix p 41	If facilities are not available, provider will need to design and perform the necessary service activation. This is likely to take more than 10-15 business days and is dependent on other factors (weather, ground conditions etc.) outside the provider's control.  If switching from a competitor, can't fill new service order unless customer is released by competitor.  If customer wants a later installation date, shouldn't be penalized for not meeting times that would result in no adjustments.  Force Majeure events should be exempted.	Agree in part. Did not use suggested language, but did make a number of changes. Last suggested change is not necessary since rule provides that the specified deadline is measured from a customer requested date if that date is later than what would be required without such a request.  The customer still experiences harm and inconvenience whether or not the line that has not been installed is a primary line or secondary line.  Changed deadline when there are no distribution facilities from 20 days to 30 days. Have also added exceptions to the deadlines based on unforeseen events.
Customer billing - installation delay adjustment	165.0401 (17)	TDS Metrocom	The requirement that the provider waive all installation charges if the performance deadline is not met is unreasonable. The five day interval is completely arbitrary. Paragraph (f) is very confusing and poorly worded.	Page 34	Customers should have the option of trading a slightly longer installation interval for a choice of providers and lower prices.  Even with a Commission -imposed interval, there is nothing to suggest that any "damages" a customer may suffer are as much as the installation charge.  This requirement will be particularly burdensome on new providers who do not have the cash flow associated with an established customer base.  This would require the provider to staff for a "maximum" of installs which would be financially burdensome and perhaps a barrier to entry.	Disagree, but many sections of this part of the rule have been rewritten, including the credit portion.  The five day deadline was developed after considering the installation requirements used as part of the price-regulation formula, the average installation time reported in the FCC's Automated Reporting Management System (ARMS), the last state-wide survey, and the rules of other states.  The five day deadline was developed after considering the installation requirements used as part of the price-regulation formula, the average installation time reported in the FCC's Automated Reporting Management System (ARMS), and the rules of other states.

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Customer billing - installation delay adjustment	165.0401 (17)	TDS Metrocom	Doesn't contain exclusion based on third part failure.			Agree. Change made.
Customer billing - Installation delay adjustment	165.0401 (17)	Wisconsin State Telecommunications Association	Add language to this section, similar to that in 165.0401(16)(b) for out-of-service adjustments, which limits the provider's obligation for an adjustment.	Page 39		Agree. Language added.
Customer billing - installation delay adjustment	165.0401 (17)	WorldCom, Inc.	If CLECs are not exempted from this rule, it should be revised to allow CLECs to pursue recourse from ILECs for repayment of any credits CLECs are forced to issue due to ILEC service failures.	Page 20	CLEC's ability to comply with these requirement is almost completely out of their control.	Agree in part. Revised deadlines for situations in which the CLEC is dependent on ILEC action.
Customer billing - installation delay adjustment	165.0401 (17)	WorldCom, Inc.	CLECs should be exempt from this section.  A CLEC's ability to comply with these requirements is almost completely out of its control.	Page 20	A CLEC's ability to comply with these requirements is almost completely out of its control.	Agree in part. Revised deadlines for situations in which the CLEC is dependent on ILEC action.
Customer billing - installation delay adjustment	165.0401 (17)	WorldCom, Inc.	The requirements of this section should apply only to the installation of new lines, and not to the migration of existing lines.	Page 20	With migration of existing lines, there would be no harm to consumers since they would not lose dial tone at any time.	Agree. Changed so that this portion of the rule does not apply to a migration of a line between providers, as long as the customer doesn't lose dial tone.
Customer billing - installation delay adjustment	165.0401 (17)(b)1	Verizon	Delete section.	Page 20	No reason given	Disagree. Such a provision is included in the section on credits for missed appointments. However, even if the customer receives notice that a repair or installation has been delayed, s/she still experiences loss and inconvenience related to the delay.

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Customer billing - installation delay adjustment	165.0401 (17)(b)3	Verizon	If section not deleted, change so adjustment applies if installation date is requested by the customer and the order is not completed at least 5 business days after the original due date.	Page 20	No reason given	Agree in part. Section not deleted, but suggested change made.
Customer billing - installation delay adjustment	165.0401 (17)(c)&(d)	WSTA	The 20-day period should not begin until right of way has been secured.	Page 11		Agree. Changed from 20 days to 30 days, and added provision that deadline can be reasonably extended under certain circumstances including lack of right of way.
Customer billing - installation delay adjustment	165.0401 (17)(c)1	Verizon	If section not deleted, change from 20 days to 30 days.	Page 20	No reason given	Agree in part. Section not deleted, but suggested change made.
Customer billing - installation delay adjustment	165.0401 (17)(c)2	Verizon	Even if section not deleted, delete this piece of it.	Page 20	No reason given	Disagree. Thirty days is a reasonable amount of time in this situation.
Customer billing - installation delay adjustment	165.0401 (17)(c)3	Verizon	If section not deleted, amend this so that credit applies if a date is requested by the customer, and the order isn't completed within 30 business days of the original due date.	Page 20	No reason given	Agree in part. Section not deleted, but suggested change made.
Customer billing - installation delay adjustment	165.0401 (17)(c)int to	Verizon	If section not deleted, add that deadline shall be reasonably extended for extraordinary circumstances such as inability to bury cable during snow or mud conditions, equipment not delivered, etc.	Page 20	No reason given	Agree. Language added allowing exception under certain circumstances.

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Customer billing - installation delay adjustment	165.0401 (17)(d)	Verizon	If section not deleted, amend this section throughout so that it is 30 days rather than 20 days, and to remove the "per access line" provision.	Page 20	No reason given	Agree in part. Changed to 30 days, but did not change "per access line" concept. Customers experience the same difficulties regardless of whether the line involved is a primary or non-primary line.
Customer billing - installation delay adjustment	165.0401 (17)	Niagara Telephone Company	The time it takes to obtain government permits or right of way access needs to be taken into consideration when establishing timeframes for installation and any related penalties.		It takes an average of 3 weeks to obtain DOT permission to cross a state highway. Also, it can take time to track down private property owners and get easements.	Agree in part. Changed deadline when there are no distribution facilities from 20 to 30 days. Have also added exceptions to the deadlines based on unforeseen events.
Customer billing - missed appointments adjustment	165.0401 (18)	TDS Metrocom	These standards are unworkable in practice.  It would be difficult to have a 24-hour notice of a 4-hour commitment when service must be back in place within 24 hours.	Page 35	It would be difficult to have a 24-hour notice of a 4-hour commitment when service must be back in place within 24 hours.  This provision should be applicable only to appointments scheduled at least forty-eight hours in advance.	Agree in part. Changed from 24 hour notice to 12 hour. Providing the revised amount of notice is a matter of managing workforce, and there are exceptions available to the provider. Whatever the reason for the missed appointment however, the customer still experiences harm and inconvenience.
Customer billing - missed appointments adjustment	165.0401 (18)	TDS Metrocom	If subsection (18)(b) is adopted as it, providers may feel forced to abandon customer interests and their prior practices and schedule appointments well in advance in order to have the ability to comply with 24 hour prior notice requirement.  Doesn't contain exclusion based on third-party failure.		If subsection (18)(b) is adopted as it, providers may feel forced to abandon customer interests and their prior practices and schedule appointments well in advance in order to have the ability to comply with 24 hour prior notice requirement.	Agree. Change made.

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Customer billing - missed appointments adjustment	165.0401 (18)	Verizon	<p>Add 2 definitions to this section as follows:</p> <p><b>APPOINTMENT:</b> A 4 hour time period agreed to by the company and the customer, in which the company has agreed to arrive at a customer location when a network installation or network repair requires that the company have access to the premise.</p> <p><b>MONTHLY RECURRING CHARGE:</b> Any fixed monthly charge for basic local exchange service, standard business service or services that appear on each monthly statement including the monthly access line charge, EAS charges etc. This does not include voluntary contributions made to any program, any surcharges, inside wire maintenance plan, telephone instruments, voice mail, CPE purchases, directory assistance, or directory charges for non-listed/non-published number.</p>	Page 21	No reason given.	Agree in part. Included the suggested language "agreed to by the provider and the customer" to clarify, but did not feel the suggested definitions were necessary.
Customer billing - Missed appointments adjustment	165.0401 (18)	Wisconsin State Telecommunications Association	Add language to this section, similar to that in 165.0401 (16)(b) for out-of-service adjustments, which limits the provider's obligation for an adjustment.	Page 39		Agree. Language added.

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Customer billing - missed appointments adjustment <sup>t</sup> <sup>s</sup>	165.0401 (18)	WorldCom, Inc.	CLECs should be exempt from this section since their ability to comply is almost completely out of its control.	Page 20	A CLEC's ability to comply with these requirements is almost completely out of its control.	Agree in part. Added a provision clarifying that when an appointment is made for a worker to go out to a home or business, it is the provider whose worker misses the appointment that is responsible for the credit. It could be responsible directly, such as when a worker sent by the customer's provider misses an appointment, or it could be responsible for reimbursing the customer's provider for the credit that provider issued when a worker sent by the other provider misses an appointment.
Customer billing - missed appointments adjustment <sup>t</sup> <sup>s</sup>	165.0401 (18)	WorldCom, Inc.	If CLECs are not exempted from this rule, it should be revised to allow CLECs to pursue recourse from ILECs for repayment of any credits CLECs are forced to issue due to ILEC service failures.	Page 20 -21	A CLEC's ability to comply with these requirements is almost completely out of its control.	Agree. Added a provision clarifying that when an appointment is made for a worker to go out to a home or business, it is the provider whose worker misses the appointment that is responsible for the credit. It could be responsible directly, such as when a worker sent by the customer's provider misses an appointment, or it could be responsible for reimbursing the customer's provider for the credit that provider issued when a worker sent by the other provider misses an appointment.
Customer billing - missed appointments adjustment <sup>t</sup> <sup>s</sup>	165.0401 (18)(a)&(b)	SBC Ameritech	If not deleted, change to say adjustments are for basic telephone service customers and delete reference to "with less than 20 lines" in the description of businesses that must receive \$100 credits .  Market for businesses, especially if they have over 3 lines, is competitive. Providers should be able to differentiate their credit adjustments for customers not receiving basic services to reflect competitive pressures within the business sector. Anything more restrictive stifles innovation and product differentiation within the industry, unnecessarily restricting a competitive environment.	matrix p. 42-43	Market for businesses, especially if they have over 3 lines, is competitive. Providers should be able to differentiate their credit adjustments for customers not receiving basic services to reflect competitive pressures within the business sector. Anything more restrictive stifles innovation and product differentiation within the industry, unnecessarily restricting a competitive environment.	Agree in part. Removed "with less than 20 lines" language and added a provision that this section does not apply if a provider has an individual contract with a business.  Additionally, these are minimum standards. A provider can always differentiate itself by establishing standards higher than these minimums.

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Customer billing - missed appointments adjustment	165.0401 (18)(b)	SBC Ameritech	If not deleted, add a provision stating that missed appointment credits are not required if appointment is missed due to reasons listed in cases of Force Majeure events or other events outside the provider's control.	matrix p. 43	These are events outside the provider's control.	Agree. Change made.
Customer billing - missed appointments adjustment	165.0401 (18)(b)	Verizon	If section not deleted, change from \$100 to \$50 for business and remove qualifier that it's only for businesses with 20 or fewer lines.	Page 21	No reason given	Agree in part. Changed credit for business customer to \$25 so it matches the credit for residential customers. Further, added a provision that this section does not apply to business customers with which the provider has an individual contract.
Customer billing - out of service adjustment	165.0401 (16)	WorldCom, Inc.	CLECs should be exempt from this section or, if CLECs are not exempted from this rule, it should be revised to allow CLECs to pursue recourse from ILECs for repayment of any credits CLECs are forced to issue due to ILEC service failures.	Page 19 - 20	A CLEC's ability to comply with these requirements is almost completely out of its control.	Agree in part. Added a provision clarifying that the provider with the service responsibility for the facilities that are causing an outage is the one responsible for the credit. It could be responsible directly, if the customer's provider carries the servicing responsibility. If a provider other than the customer's provider carries the servicing responsibility for the facility causing the outage, then that provider is responsible for reimbursing the customer's provider for the credit issued due to the outage.
			A CLEC's ability to comply is almost completely out of its hands. Further, WorldCom's business systems are multi-state. Making the changes necessary to do such a state specific credit would be expensive.		WorldCom's systems are multi-state and are not designed for the capability to issue state-specific credits of this nature. It would be tremendously expensive and time consuming to implement a WI specific requirement.	It is unreasonable to expect that no state will require state specific actions by a provider of local service in that state. Both Ohio and Illinois, as well as other states, require such bill adjustments.
Customer billing - out of service adjustment	165.0401 (16) - (17)	AT&T	Revise so that cell phones are required only when the provider is directly and clearly at fault for the delay.	Page 24	No reason given.	This provision does not require that providers supply cell phones. It provides flexibility for providers. It only presents an option to providers, they need not choose to do this. But for those who wish to avoid making the credit adjustment, this provides an alternative.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer billing - out of service adjustment <sup>s</sup>	165.0401 (16)(a)	SBC Ameritech	If section not deleted, modify to specify it applies to interruptions of basic service (as defined by Ameritech - only essential services, not vertical) and eliminate sentence re: services included in computation (Ameritech proposes its own formula for this. It is entered separately.)	matrix 38	Conforms to the definition of basic telephone service and formula for credit proposed by Ameritech.	Disagree. When a customer's service is out, the customer suffers harm and inconvenience related to each part of local service that is not fully operational, including vertical services.
Customer billing - out of service adjustment <sup>s</sup>	165.0401 (16)(a)	SBC Ameritech	Suggests clarification to language re: calculation.	matrix p. 38	Makes sentence clearer.	Agree. Change done.
Customer billing - out of service adjustment <sup>s</sup>	165.0401 (16)(a)	Verizon	If section not deleted, revise to include language referencing "basic local exchange and business standard service."	Page 18-19	Describes service that must be interrupted.	Agree in part. Added a definition of "basic local service" that includes both residential and business service.
Customer billing - out of service adjustment <sup>s</sup>	165.0401 (16)(a)	Verizon	If section not deleted, change statement about what the adjustment computation applies to from "all monthly recurring charges for basic local exchange and standard business service rendered inoperative" instead of "all charges for basic and regulated optional local services rendered inoperative"	P. 18	No reason given.	Disagree. Current language is sufficient. Whether some of the items listed in the suggested definition of "monthly recurring charge" would be included as regulated optional services depends on the type of provider involved. This language provides the flexibility for application to all the different providers covered by the language.  Further, when a customer's service is out, the customer suffers harm and inconvenience related to each local service that is not fully operational, including vertical services.
Customer billing - out of service adjustment <sup>s</sup>	165.0401 (16)(b)1	Verizon	If section not deleted, add "or other third parties including but not limited to cutting of drop, damage to NID, etc."	Pg. 18	No reason given	Agree. Added an exclusion for damage by third parties that couldn't be foreseen or avoided by the exercise of due care by the provider.



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Customer billing - out of service adjustments	165.0401 (16)(b)2.	TDS Metrocom	Revise to eliminate the reference to "a provider's optional inside wiring maintenance plan" because not all providers have such a plan.	Page 33	Not all providers have such a plan.	Disagree. If a provider does not have such a plan, then a service interruption caused by inside wiring could only be caused by wiring that is not covered by such a plan and, so, the exclusion would apply. Thus, there is no downside risk borne by providers without such a plan.
Customer billing - out of service adjustments	165.0401 (16)(b)3	SBC Ameritech	If section not deleted, add "work stoppages due to labor disputes" and end with "or other events beyond the provider's control".	matrix p. 38	Allows provider to request an exclusion of unforeseen or unforeseeable events over which the provider has no control, but which may cause service interruptions.	However, this language ensures that if a service interruption is caused by wiring that is covered by such a plan (thus the provider has accepted responsibility for that wiring), then the exclusion does not apply.  Agree in part. Expanded to include situations in which an area has been quarantined, evacuated or placed under marshal law. In another section, added exclusion based on failure by third parties.
Customer billing - out of service adjustments	165.0401 (16)(b)3	Verizon	If section not deleted, add other emergency situations, and define as including but not limited to:  Declaration that area is federal disaster area.  Acts of third parties, including acts of terrorism, vandalism, riot, civil unrest, war, or acts of parties not agents, employees or contractors of provider.  Severe storm, tornado, earthquake, flood or fire, including a severe one that prevents the company from restoring service due to impassable roads, downed power lines, or the closing off of areas by public safety officials.	Pg. 18-19	No reason given.	The rule allows the Commission to adopt different requirements in unusual or exceptional circumstances. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.  Agree. Expanded to include situations in which an area has been quarantined, evacuated or placed under marshal law. In another section, added exclusion based on failure of or damage by third parties.  Also, the rule allows the Commission to adopt different requirements in unusual or exceptional circumstances. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.

<i><b>Topic</b></i>	<i><b>Old rule section</b></i>	<i><b>Company</b></i>	<i><b>Suggestion/comment</b></i>	<i><b>Location</b></i>	<i><b>Reason for comment</b></i>	<i><b>Response</b></i>
Customer billing - out of service adjustment s	165.0401 (16)(b)3.	TDS Metrocom	Revise to clarify that the due care in question is that of the provider.	Page 33	Needs clarity.	Agree. Change made.
Customer billing - out of service adjustment s	165.0401 (16)(c)	Verizon	If section not deleted, amend this subsection to allow provider to apply an exception if it has reasonable cause to believe the criteria for doing so have been met. Documentation would be available to the Commission if needed.	Pg. 19	No reason given.	Agree in part. Changed so that provider can apply an exemption, but require that provider informs the Commission of where it was applied, the number of customers involved, and the justification for the application.
Customer billing - out of service adjustment s	165.0401 (16)(c)	WorldCom, Inc.	Delete or don't apply to CLECs. Burdensome. No compensation to CLECs if was ILEC's performance failure.	Page 19	The requirements of this section are burdensome and would cause CLECs to undertake significant expense to avoid being required to provide automatic credits each time an ILEC outage affected CLEC customers.  There is no compensation to CLECs for ILEC performance failures.	Agree in part. Added a provision clarifying that the provider with the service responsibility for the facilities that are causing an outage is the one responsible for the credit. It could be responsible directly, if the customer's provider carries the servicing responsibility. If a provider other than the customer's provider carries the servicing responsibility for the facility causing the outage, then that provider is responsible for reimbursing the customer's provider for the credit issued due to the outage.
Customer billing - out of service adjustment s	165.0401 (16)(c)2.	SBC Ameritech	If section not deleted, add a provision stating that the request for an exclusion is automatically granted if the Commission doesn't reject or raise questions about it within 2 days.	matrix p.. 39	Requests should be routinely accepted except where there is reason for Commission to doubt or reject an occurrence.	Agree in part. Changed so that a provider can automatically apply the exclusion, but must notify the commission of where it has been applied, the number of customers involved and the justification for the application.
Customer billing - out of service adjustment s	165.0401 (16)(c)2.	SBC Ameritech	If section not deleted, remove "formally"	matrix p. 39	This is not defined and is procedurally ambiguous. Removal may allow for delegation to staff.	Agree, but section deleted based on other comments.
Customer billing - out of service adjustment s	165.0401 (16)(c)2.	TDS Metrocom	Revise to eliminate the requirement that the Commission "formally accept the occurrence as an unforeseeable operating condition."	Page 33	This would be administratively burdensome on the CLEC.	Agree. Changed so that provider can apply the exclusion automatically, but must then inform the commission of where it has been applied, the number of customers involved, and the justification for the application.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer billing - out of service adjustments	165.0401 (16)(c)int ro	SBC Ameritech	If section not deleted, change cite from (b) to (b)3. Not practical to apply exclusion under 1 or 2. 3 is likely to affect many customers while 1 and 2 are customer by customer.	matrix p. 38	Not practical or efficient to apply for exclusion under (b)1. or 2. While the frequency of events under the latter are more common, (b) 3. is likely to affect many customers while 1. and 2. are customer by customer.	Disagree. Changing the cite would result in less flexibility for providers. Providers need not use this section, but should be able to use it in any of the listed situations if it so chooses.
Customer billing - out of service adjustments	165.0401 (16)(d)	SBC Ameritech	If section not deleted, change "monthly charge for any basic and regulated optional local" with "the recurring monthly service charge for the" telecommunications services rendered inoperative.	matrix p. 39	If pro-rata, appropriate to tie to all service rendered inoperative but prefers this language.	Disagree. Current language is sufficient. Suggested language is too broad and could include many things outside of basic local service in the calculation.
Customer billing - out of service adjustments	165.0401 (16)(d)	Verizon	If section not deleted, change throughout to "all monthly recurring charges for basic local exchange and standard business service rendered inoperative" instead of "all charges for basic and regulated optional local services rendered inoperative"	Pg 19	No reason given	Disagree. Current language is sufficient. Whether some of the items listed in the suggested definition of "monthly recurring charge" would be included as regulated optional services depends on the type of provider involved. This language provides the flexibility for application to all the different providers covered by the language.
Customer billing - out of service adjustments	165.0401 (16)(d)1.-3.	SBC Ameritech	If section not deleted, instead of making an adjustment based on "one month's charges for any basic or regulated optional services rendered inoperative", make it the greater of the pro-rata portion of the services rendered inoperative or a specified portion of the charges for basic telephone service (as defined by Ameritech, includes essential service but not vertical services.)	matrix p. 39	As long as adjustments are pro-rata, it is appropriate to tie the credit to all services rendered. If more than a pro-rata is to be credited, it should be tied instead to charges for basic telephone services (using Ameritech's proposed definition which includes essential services but not vertical services.) Otherwise the adjustments quickly become penalties rather than compensation to customer for outage.	Disagree. Current language is sufficient. This language provides the flexibility for application to all the different providers covered by the language. However, the credit amounts have been revised.  Further, when a customer's service is out, the customer suffers harm and inconvenience related to each local service that is not fully operational, including vertical services.
						Further, when a customer's service is out, the customer suffers harm and inconvenience related to each local service that is not fully operational, including vertical services.

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Customer billing - out of service adjustment s	165.0401 (16)(d)3	Verizon	If section not deleted, change from 96 hours to create new window of 96 hours or more but less than 120 hours.	Pg 19	No reason given	Agree. Change made.
Customer billing - out of service adjustment s	165.0401 (16)(d)3 - 4	SBC Ameritech	If section is not deleted, change from "equals 96 hours" to "equal or exceeds 96 hours" and add "but is less than 120 hours".  Then change 96 to 120 in 4.	matrix p. 39	Recommendation for an adjustment for an outage equaling 96 hours doesn't make sense as it requires exactly 96 hours, not one minute more or less.  Creating another window aligns with Ohio's rules, although this overall adjustment is more stringent through the additional one-third credit for each day above 120 hours.	Agree. Change made.
Customer billing - out of service adjustment s	165.0401 (16)(d)4	Verizon	If section not deleted, change so applies after 120 hours. And instead of additional one-third for each 24 hours (or portion thereof) over 120 hours, is an additional credit of \$20 per day.	Pg 19	No reason given	Agree in part. Made change except made it an additional \$5 per day or portion thereof.
Customer billing - out of service adjustment s	165.0401 (16)(d)Int to	SBC Ameritech	If section not deleted, use "longer than 48 hours" rather than just "longer".	matrix p. 39	Clarifies.	Agree. Change made.
Customer billing - out of service adjustment s	165.0401 (16)(e)	Verizon	Even if section not deleted, delete this piece of it.	Pg 19	No reason given	Disagree. This provides flexibility to providers. It only presents an option to providers, they need not choose to do this. But for those who wish to avoid making the credit adjustment, this provides an alternative.
Customer billing - service adjustment s	165.0401 (16) - (17)	AT&T	Requirement to furnish alternative services during delays should allow for providing voice mail services rather than cell phones.	Page 23-24	Comments don't include a reason.	Disagree. Voice mail isn't retrievable except outside the home or business location. Further, voice mail in no way fully replaces the ability to originate phone calls and participate in phone calls from home or a business location.

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Customer billing - service adjustment s	165.0401 (16) - (18)	AT&T	Delete or, if not deleted, the rules should be simplified and streamlined. Adjustments are penalties and are complicated.	Page 23 - 24	The standards and penalties are extremely complicated and burdensome.	Disagree, but have revisited and revised individual sections in an attempt to further simplify and streamline. Details are provided with the comments for individual sections.
Customer billing - service adjustment s	165.0401 (16) - (18)	AT&T	If these rules are applied to CLECs, create a reimbursement mechanism between the ILEC and CLEC when the cause of the outage is the ILEC network.	Page 23 - 24	CLEC or IXC shouldn't be penalized for not meeting service standards that are under the control of the ILEC.	The provisions are compensation to the customer. They are remedial, not punitive.
Customer billing - service adjustment s	165.0401 (16) - (18)	AT&T	Or don't apply penalty if due to ILEC.			Agree. Language added to attach responsibility for the credit to the provider responsible for the problem.
Customer billing - service adjustment s	165.0401 (16) - (18)	AT&T	These sections shouldn't apply to CLECs or IXCs.	Page 9 - 10	CLEC or IXC may not meet service standards because of factors not within their control but within the control of the ILEC.	Agree in part. These rules do not apply to IXCs. However, many CLECs have had service quality problems. CLEC customers suffer the same loss and inconvenience as ILEC customers do when installations are delayed, appointments are missed and service is out-of-order.
Customer billing - service adjustment s	165.0401 (16) - (18)	AT&T	Only apply to residential customers.	Page 23		Disagree. Business customers also experience inconvenience and cost when installation is delayed, appointments are missed or service is out of order. They may also suffer economic loss as a result. However, the sections have been changed so that they do not apply to businesses with which the provider has an individual contract for telecommunications service.
Customer billing - service adjustment s	165.0401 (16) - (18)	Frontier (including Rhinelander)	Change to allow provider to apply exception as appropriate, subject to subsequent staff and Commission investigations if necessary.		Current rule would limit provider from using an exemption until the Commission had accepted an event as unforeseeable. If accepted then provider would have to rescind credit already applied.	Agree. Changed so that an exception may be applied automatically, but the provider must then inform the Commission of the application, where it was applied, the number of customers involved and the justification for the application.

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Customer billing - service adjustments	165.0401 (16) - (18)	SBC Ameritech	Delete. Timeframes are unrealistic, implementation costs are high, credits are penalties.	Matrix pages 38-39	The Commission's proposed adjustments are punitive in nature. They amount to an unlawful penalty on the provider.  The timeframes associated with the penalty escalation are unrealistic.  The credit adjustment mechanism will result in inappropriately high implementation costs.	Agree in part. The effective date has been extended. This will allow more implementation time and will help spread the cost out over a longer time.  Formulas for calculating credit have been revised.  The adjustments in these provisions are compensation to the customer. They are remedial, not punitive.
Customer billing - service adjustments	165.0401 (16) - (18)	SBC Ameritech	Delete. Step backwards due to increasing competition and fewer complaints.	Matrix pages 38-43	SBC/Ameritech believes the codification of credits for missed appointments, installation delays, and service outages is a step backward given ever increasing competition and the trend of declining complaints.	Disagree. The state of, and potential for, competition varies widely across the state. These are issues about which the Commission still sees complaints, complaints are not declining across the board. These standards are minimums. If providers are routinely surpassing these standards, the sections will not be triggered. As a result, as competition develops and complaints decrease, these should trigger less and less frequently.
Customer billing - service adjustments	165.0401 (16) - (18)	TDS Metrocom	If rules apply to CLECs, do not apply this to CLECs if their performance is dependent on the ILEC.	Page 33	The exclusion for delays caused by third parties (where it appears) does not eliminate the concerns because of the difficulty, time, and expense involved with proving that a third party (the ILEC) was at fault. Recourse to the ILEC isn't enough due to the costs of recovering from it.  The provisions are problematic as they appear to require a CLEC to make the adjustments even when an out-of-service condition, installation delay, or missed appointment is caused by the ILEC. In most cases CLECs are using at least some facilities provided by the ILEC.  Thus an out-of-service condition, installation delay, or missed appointment may be due to circumstances outside of the CLEC's control.	Agree. Language added to attach the responsibility for the adjustment to the provider responsible for the problem.

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Customer billing - service adjustments	165.0401 (16) - (18)	TDS Metrocom	Revise so they are only applicable to ILEC and ETCS. The adjustment provisions should not be applied to CLECs because they have not been plagued by the same service quality problems as ILECs and because competitive forces eliminate the need for such regulation.	Page 32	The adjustment provisions should not be applied to CLECs because they have not been plagued by the same service quality problems as ILECs and because competitive forces eliminate the need for such regulation.  The burden to the company outweighs any benefit to the customer.	Disagree. Many CLECs have had service quality problems. CLEC customers suffer the same loss and inconvenience as ILEC customers do when installations are delayed, appointments are missed and service is out-of-order.
Customer billing - service adjustments	165.0401 (16) - (18)	TDS Telecom	Delete, or only apply to those with service problems without alt reg plans that contain their own credit plans.	Pg. 5	Rules should establish minimum standards, not increase existing standards. For example, many companies do not have service problems but service guarantee provisions apply to all.  Also, many companies have existing service guarantee programs in tariffs or alt reg plans in case problems arise, making credits in rule unnecessary.	Disagree. These are minimum standards. These sections will not be triggered if a company meets these minimum standards. While some companies have their own service guarantee programs, many do not. The customers of all companies suffer the same loss and inconvenience when installation is delayed, appointments are missed or service is out of order.  Customers with alternative regulation plans are also required to follow PSC 165. See discussions in the comments section on alternative regulation plans for how provisions in alternative regulation plans and provisions in PSC 165 will function together.

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Customer billing - service adjustments	165.0401 (16) - (18)	Time Warner Telecom of Wisconsin, L.P.	CLECs should be exempt from this provision.	Page 12 - 15	<p>Imposing automatic adjustment requirements on CLECs who depend on the ILEC will only lead to increased costs to the CLEC.</p> <p>Time Warner's current provision, maintenance and billing systems do not support automatic credits. System and billing changes would be cost-prohibitive.</p> <p>If using Ameritech facilities, if receive info about outage etc. at all, have to get info from Ameritech to determine if meeting requirements.</p> <p>There is no information in the record to show that an ILEC like Ameritech's OSS support automatic credits. Service outages are generally not reported to resellers, UNE buyers and those (like T-W) buying special access. Without that data, CLEC can't comply with rules re: credits.</p> <p>Imposing these requirements on CLECs who depend on the wholesale services of incumbent carriers will only lead to increased costs to the competitive carrier and competitive leverage to the incumbent.</p> <p>Such provisions will dampen competition and embolden those wholesale carriers who may wish to "game" the system.</p>	<p>Disagree. Many CLECs have had service quality problems. CLEC customers suffer the same loss and inconvenience as ILEC customers do when installations are delayed, appointments are missed and service is out-of-order.</p> <p>Have revised language to deal with situations where the CLEC's performance is dependent on the ILEC and when migrations between providers do not result in loss of dial tone. Also, exemptions have been developed.</p>



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Customer billing - service adjustments	165.0401 (16) - (18)	Verizon	Delete. Inappropriate for price regulated companies since the price regulation formula includes consideration of service quality.  Are penalties.	Page 20	These automatic service quality adjustments/penalties are inappropriate for price regulated telcos and telcos under alternative regulation because they are already subject to service quality standard that, if not met, may result in penalties.  The proposed rules suggest that the commission may impose fines and penalties on its own motion. There is no statutory authority for this.  Rules that set deadlines and mandate payments that have far-reaching practical and legal consequences. In addition to increasing costs and reducing rates, they might also increase exposure to claims for civil damages and could even become the basis for other sanctions, penalties and remedial requirements imposed in other proceedings.  Doesn't reward for voluntary improvements to service. Has own service guarantee program that works well. Such programs will be discouraged by these standards.  Standards that require that they be met 100% of the time fail to recognize contingencies such as unexpected events.  Verizon does credits using a manual process so doing one may take more than one bill cycle. Customers may be confused, especially if bill adjustment is a period of time after the event. Also may be confused because expecting a credit but not seeing one.	Disagree. For price regulated companies, the service quality and infrastructure adjustments to the formula affect overall revenues for price regulated services. Price regulated companies are still subject to PSC 165. The two uses serve different purposes.  Further, this credit program directly compensates the affected customer.  These are minimum standards. Companies can always distinguish themselves by providing service that surpasses these minimums.  Various exceptions and contingencies have been built into these rules. Nothing requires a company to meet these standards 100% of the time. They just require that if the company does not meet them, the customer must be compensated.  While there could conceivably be confusion about application of the credits, Verizon can educate its customers about how the credits will be applied.

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Customer billing - service adjustments	165.0401 (16) - (18)	WSTA	Delete because makes alternative regulation less attractive.	Page 10	Requiring companies that are under rate-of-return regulation to adopt practices adopted by companies under alternative regulation makes alternative regulation less attractive.	Disagree. It seems unlikely that many companies choose alternative regulation plans just so that they can establish customer compensation plans. Further, the commission can adopt different requirements under unusual circumstances. A company under alternative regulation could apply for such a "waiver" if it believes its situation is unusual (or the application for a plan could request that such a waiver be included as part of the plan.)
Customer billing - service adjustments	165.0401 (16) - (18)	WSTA	Delete because they are penalties.	Page 10	The credit is substantially greater than the cost to the customer of the service for the interrupted period. It has been ruled in court that the Commission does not have the statutory authority to impose penalties.	Disagree. The adjustments are compensation to the customer. They are remedial, not punitive.
Customer billing - service adjustments	165.0401 (16) & (17)	Frontier (including Rhineland)	Delete. Not clear Commission has authority to impose these kinds of credits or penalties.	Pages 5-6	These sections require customer adjustments or credits. It is not clear that the Commission has the legal authority to impose these kinds of credits or penalties.	Disagree. These adjustments are compensation to the customer. They are remedial, not punitive.
Customer billing - service adjustments	165.0401 (16) & (17)(f)	Verizon	Add that the provider's inability to gain access includes following its standard procedures such as observing safety precautions, not entering fenced yards with dogs or not entering unlocked garages.	Pg 19-20	No reason given	Agree. Change done.
Customer billing - service adjustments	165.0401 (16) & (17)(f)	Verizon	If section not deleted, add that length of interruption won't be extended if rescheduling is due to provider missing appointment but provider has contacted the customer in advance to cancel the appointment.	Page 20	No reason given	Disagree. Such a provision is included in the section on credits for missed appointments. However, even if the customer receives notice that a repair or installation has been delayed, s/he still experiences loss and inconvenience related to the delay.

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Customer billing - service adjustments	165.0401 (16)&(17)	Frontier (including Rhineland)	Only apply to primary lines and only when the situation isolates the customer from the public switched network.	Pages 5-6	It is unclear whether the proposed service quality standards apply to all "services" or only to primary basic local service. Frontier suggests that in situations that do not isolate the customer from the public switched network, the 24 hour restorations standards and self-executing adjustment should not apply. For example, a trouble that affects Caller ID should not be governed by these rules. Or the installation of a second line.	Agree in part. Clarified language so it references basic local service. However, did not limit to primary line since there is customer impact whether a primary or non-primary line is involved.
Customer billing - service adjustments	165.0401 (16)-(18)	SBC Ameritech	If adopted, sunset in 3 years (at most).	Matrix pages 38-39	(For example, don't apply if only caller ID out)  If these provisions are ultimately adopted in some form, they should be modified as proposed by SBC/Ameritech and subject to a sunset provision after three years at the most.	Disagree. The Commission can revise these rules if it later finds that these sections are no longer necessary.
Customer complaints	165.0202	Lakeland Communications, Inc. (Luck and Milltown)	Objects to this requirement.		We have not had any complaints. Feel this action would only create more filing and burdensome reports for something that is not a problem at our companies.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.
Customer complaints	165.0202	Lakeland Communications, Inc. (Luck and Milltown)	The proposed rules are anticompetitive.		If our competitors are not mired in the same web of continuously state required reporting it would be an unfair practice.	Disagree. ILECs and ETCs may be subject to regulatory obligations that other providers are not subject to because of their obligation to provide essential telecommunications service.
Customer complaints	165.0202	Marquette-Adams Telephone Cooperative	Recording complaints is too burdensome. Our billing system is incapable of maintaining records of this type.	Page 4	Our billing system is incapable of maintaining records of this type. The system would have to be rewritten to accommodate this type of information in order to keep access to these records over an extended period of time.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.

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Customer complaints	165.0202	Marquette-Adams Telephone Cooperative	Recording all complaints is too burdensome. This section would require virtually all conversations with customers relating to billing inquiries and questions to be recorded.	Page 4	This section would require virtually all conversations with customers relating to billing inquiries and questions to be recorded.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.
Customer complaints	165.0202	Marquette-Adams Telephone Cooperative	Recording all complaints is too burdensome. Requiring service representatives to stop their work to log a "complaint" will lead to delays in answering other calls.	Page 4	Requiring service representatives to stop their work to log a "complaint" will lead to delays in answering other calls.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.
Customer complaints	165.0202	Northeast Telephone Company	Implementation of the requirements of this section will divert substantial resources to redesigning systems, retraining staff and will be of no benefit to customers.	Page 53		Agree in part. Language requiring providers to keep records of the complaints it receives according to the category of complaint involved was deleted. However, providers are currently required to "make a full and prompt investigation of all complaints made by its customer, either directly to it or through the commission." This provision will not change. In addition, a 3-year record retention requirement for customer complaints was added.
Customer complaints	165.0202	Northeast Telephone Company	Recording all complaints is too burdensome. The rule would require the company to keep records of the complaints it receives.	Page 4	The rule would require the company to keep records of the complaints it receives. This would require significant financial resources to create the database necessary to keep track of this useless information.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.
Customer complaints	165.0202	SBC Ameritech	Delete. The statistics gathered will lack the intended value because the number of complaints made to a provider on a particular issue (category) is not representative of the number of complaints made about a provider.	Matrix page 5-6	The statistics gathered by the system will lack the intended value because the number of complaints made to a provider on a particular issue is not representative of the number of complaints made about a provider.	Agree in part. Complaint statistics should be able to clearly demonstrate the number of complaints made to a provider. Change made to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category of complaint.

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Customer complaints	165.0202	SBC Ameritech	Delete.	Matrix page 5-6	The requirement would increase call handling times, which in turn would require a substantial increase in staffing, driving up costs.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.
Customer complaints	165.0202	SBC Ameritech	Delete.	Matrix Page 5- 6	This obligation is inconsistent with the burgeoning competitive marketplace and should be discarded. Providers should be able to manage their customer base as thoroughly and efficiently as possible, to distinguish themselves in terms of how they provide customer service and track or resolve complaints, and to be free to resolve expressions of dissatisfaction or inquiries with less time than it takes to manage the proposed requirements of tracking and reporting.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.
Customer complaints	165.0202	SBC Ameritech	Suggest removing the language "made by its customers, either directly to it or through the commission."	Matrix page 53	Prior comments related that SBC Ameritech does not wish to record complaint information except for complaints escalated to their higher management or those that are filed at the PSC.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.
Customer complaints	165.0202	Sharon Telephone Company	Delete. No time for additional record keeping that is required.	Page 1	No time for additional record keeping that is required.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The proposed rule will be revised to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.

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Customer complaints	165.0202	Siren Telephone Company	Delete. The revisions to PSC 165 would create a burdensome amount of administrative changes and paperwork.		The revisions to PSC 165 would create a burdensome amount of administrative changes and paperwork.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.
Customer complaints	165.0202	WorldCom, Inc.	If the definition of "complaint" is not narrowed to include only complaints from state agencies and internal complaints, then the Commission should modify the rule so that it does not require the categorical designation of "complaints" for record retention purposes.	page 7	WorldCom's record keeping processes for documenting calls to customer service cannot accommodate the requirements reflected in this rule because such call records are kept by account number, not by type. WorldCom could comply if the definition was narrowed.	Agree in part. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. Change made to require a specific assertion rather than just "expressing a concern" and deleted "dissatisfaction" from the definition. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.
Customer complaints	165.0202 (2)	AT&T	Revise. The categories listed and the requirement to keep records by category are overlapping.	Page 15	The categories listed and the requirement to keep records by category are overlapping. Requiring complaints to be further categorized without a demonstrated need to do so is problematic.	Agree. The requirement to keep complaints by category was added to make the process less complicated. Because of comments indicating it would be burdensome, the requirement was deleted. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.
Customer complaints	165.0202 (2)	Charter Communications	Delete requirement to categorize complaints.	Page 6	The requirement to categorize customer complaints is micro-managing.	Agree. The requirement to keep complaints by category was added to make the process less complicated. Because of comments indicating it would be burdensome, the requirement was deleted. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.
Customer complaints	165.0202 (2)	Chibardun Telephone and CTC Telecom	Delete. The only complaints for which records should be kept are those complaints that could not be resolved by our company and rose to the level of the PSC.	Page 3	The Commission should continue to use the current system for recording complaints, i.e., the only complaints for which records should be kept are those complaints that could not be resolved by our company and rose to the level of the PSC.	Agree in part. The existing rule requires providers to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Customer complaints	165.0202 (2)	Chibardun Telephone and CTC Telecom	Delete. The creation of a database to retain the complaints would require capital expenditure and training expense.	Page 3	The creation of a database to retain the complaints would require capital expenditure and training expense.	Disagree. The existing rule requires providers to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.
Customer complaints	165.0202 (2)	SBC Ameritech	Delete. The requirement would increase call handling times.	Pages 15-16	The requirement would increase call handling times.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. Change made to restore the requirement to that of the existing rule, that is a record will be kept by customer as opposed to by category.
Customer complaints	165.0202 (2)	SBC Ameritech	Delete. The requirement would require onerous tracking and recordkeeping.	Pages 15-16	The requirement would require onerous tracking and recordkeeping.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.
Customer complaints	165.0202 (2)	SBC Ameritech	Delete. It is unreasonable to expect providers to categorize and retain the file on specific complaints.	Pages 5-6	It is unreasonable to expect providers to categorize and retain the file on specific complaints. An extraneous amount of paperwork and categorization would be needed to keep and track the sheer volume of complaints.	Agree in part. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. The requirement to keep complaints by category was added to make the process less complicated. Because of comments indicating it would be burdensome, the requirement was deleted. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.
Customer complaints	165.0202 (2)	WSTA	Delete. The requirement to maintain complaint records will be costly, burdensome and counterproductive to providing good customer service.	Page 5	The requirement to maintain complaint records will be costly, burdensome and counterproductive to providing good customer service.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.

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Customer complaints	165.0202 (2)	WSTA	Do not require complaints to be recorded by category.	Page 5	Service complaints are now maintained by customer, not type of complaint. This allows the company to immediately review the customer's record to determine how to best address the customer's concern because it provides a history of the line.	Disagree. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires them to keep a record of those complaints. Change made to restore the requirement to that of the existing rule. That is, a record will be kept by customer as opposed to by category.
Deferred payment agreement	165.0403	Powercom	Limit application of this subchapter to large telcos.	Page 2	The proposed rule will require the LEC to change their record system to be based on "category of complaint," rather than customer. Rigid procedures represent an administrative nightmare. Would impose unreasonable requirements and restrictions that threaten the existence of small to medium-sized telcos.	Disagree. The Commission has reconsidered applicability issues as part of its review of individual rule sections, and changes were made in some sections. However, customers of small telcos are entitled to the same minimum options and protections as customers of large telcos.
Deferred payment agreement	165.0404	Charter Communications	Delete or leave as is.	Page 12	This section rewards non-paying customers who have been disconnected for non-payment. A customer should pay for all service used and other customers shouldn't have to subsidize the customer who is unwilling to do so.	Disagree. This section recognizes the importance of telephone service and the need by some customers for payment arrangements on an amount owing in order to maintain or re-establish service.
Deferred payment agreement	165.0404	SBC Ameritech	Limit the number of DPAs a customer can have in a one year period.	Pages 18-19	There should be a limitation on the requirement to offer deferred payment plans to customers who habitually fail to pay their bills on time, or who have defaulted on previously granted deferred payment arrangements. It is bad public policy to require infinite deferred payment plans. The service restrictions allowed in the proposed rules are not enough to keep a continually defaulting customer's bill manageable for the customer.	Disagree. Current and proposed rule language already limits the number of DPAs a customer can have. Rule language allows disconnection of service without renegotiating DPAs before disconnection in default situations. Providers may impose involuntary service restrictions to prevent repeated DPAs.



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Deferred payment agreement	165.0404	SBC Ameritech	Proposes a minimum amount be established for the down payment on a dpa.	Matrix page 46	Proposes allowing providers to obtain up to one-third of the amount due at the time of entering into the agreement.	Disagree. Providers need flexibility in determining an appropriate amount for an initial payment when the DPA is established. Adding a minimum would limit providers who are willing to accept a smaller down payment.
Deferred payment agreement	165.0404	SBC Ameritech	There should be a limitation on the number of deferred payment agreements that are provided to a customer.	Pages 18-19	The USF provides assistance to customers who demonstrate need.	Disagree. Current and proposed rule language already limits the number of DPAs a customer can have. Rule language allows disconnection of service without renegotiating DPAs before disconnection in default situations and allows for more stringent terms in subsequent DPAs which will deter customers from default. Providers may impose involuntary service restrictions to prevent repeated DPAs.
Deferred payment agreement	165.0404	WSTA	WSTA suggests adding language that clarifies the deferred payment agreement process if there has been a change in the customer's ability to pay.	Page 14	The addition of "and there has not been a significant change in the customer's ability to pay since the agreement was negotiated" introduces a new element-and then fails to follow up on it.	Agree. Clarification added as PSC 165.0404(7)(b).
Deferred payment agreement	165.0404	WSTA	Do not formalize the procedures for allowing customers to have pay agreements.	Page 11	The proposed rule will require companies to revise their procedures regarding the agreements and refrain staff- an unnecessary use of resources when the current system provides customers with deferred payment agreements. Many companies work out informal agreements to help customers. Formalizing and formalizing the process will hinder that personalization.	Disagree. The process is already formalized in the current rules. Additionally, neither the current rules nor the proposed revisions prohibit providers from using informal payment arrangements with their customers.
Deferred payment agreement	165.0404 (1)	SBC Ameritech	Proposes a requirement for a written nondiscriminatory policy for deferred payment agreements.	Matrix page 46	This will create certainty and predictability for customers and providers	Disagree. Offering DPAs is not a discretionary option as are deposits and restriction of service. If providers follow the rules, a non-discriminatory policy is not necessary.
Deferred payment agreement	165.0404 (1)	SBC Ameritech	Remove the word "encouraged."	Matrix page 46	Encouragement to undertake something is not an appropriate subject for rulemaking.	Agree in part. Changed to "may."

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Deferred payment agreement	165.0404 (1)	TDS Metrocom	Delete the language "and encouraged to offer such agreements to other customers."	Pages 38-39	Advice on conducting one's business is not appropriate as part of an administrative rule.	Agree in part. Changed to "may."
Deferred payment agreement	165.0404 (1)	Verizon	Add language indicating a telco is required to "grant a dpa to residential customers who ask for one and have a demonstrated need for one." See Verizon comments for proposed language changes to this section.	Page 29	This change is required because many customers who call the business office to make a DPA have the ability to pay in full.  Requiring a DPA to be offered to every residential customer who calls in is unnecessary.	Disagree. Current provisions in (4) allow telcos to determine "reasonableness" based on specific criteria such as ability to pay. It's not unreasonable to require a telco to offer a DPA to a customer who expresses a problem paying a bill in full.
Deferred payment agreement	165.0404 (2)	AT&T	Delete this provision.	Page 25	Providers shouldn't be required to offer payment arrangements to applicants with arrearages. The arrearage should be paid in full before service is granted.  An applicant with an outstanding balance has demonstrated that he/she is a high risk.	Disagree. It is important to get customers back on the network. Providers have the option to impose involuntary service restrictions to prevent future high bills. The provider's only liability if the customer defaults on the DPA is one month local service and any connection charges.
Deferred payment agreement	165.0404 (2)	TDS Metrocom	This provision should be eliminated.	Page 39	A provider should not be required to provide service to a customer who has an outstanding account until any outstanding amounts due are paid. If a customer wants a DPA, he/she previously could have requested one under the prior service.  A customer should not be permitted to obtain a DPA by requesting new service when that customer has an unpaid balance due.	Disagree. It is important to get customers back on the network. Providers have the option to impose involuntary service restrictions to prevent future high bills. The provider's only liability if the customer defaults on the DPA is one month local service and any connection charges.
Deferred payment agreement	165.0404 (2)	Verizon	If customers pay only the deniable charges on the previous bill, new service can be granted but should be restricted to deniable services only.	Page 23	To prevent the accumulation of additional charges for non-essential service.	Disagree. The proposed rules allow providers to include all charges, not just deniable charges, in a deferred payment agreement and to restrict service until the deferred payment agreement is paid in full.

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Deferred payment agreement	165.0404 (2)	Verizon	It appears a DPA would not be required for any outstanding long distance toll charges. All charges should be included in any dpa.	Page 23	It is necessary to require full payment of unpaid long distance toll charges before access to the toll network is granted.	Verizon's interpretation is incorrect. It is our intent to include any amounts owing, including toll from another provider billed on the Verizon bill, to be included in a dpa. Change made to clarify.
Deferred payment agreement	165.0404 (2)	Verizon	Delete provision requiring a provider to offer a dpa to an applicant who has an outstanding account with that provider unless service can be denied until the amount is paid in full.	Page 22	It is irrational to allow prior customers who refuse or otherwise fail to pay legitimately incurred, undisputed prior bills to obtain new service before paying the prior bill.	Disagree. It is important to get customers back on the network. Providers have the option to impose involuntary service restrictions to prevent future high bills. The provider's only liability if the customer defaults on the DPA is one month local service and any connection charges.
Deferred payment agreement	165.0404 (2)	WorldCom, Inc.	This provision should be deleted.	Page 23	Providers should not be required to offer a dpa to customers simply because the customer is in arrears.	Disagree. It is important to get customers back on the network. Providers have the option to impose involuntary service restrictions to prevent future high bills. The provider's only liability if the customer defaults on the DPA is one month local service and any connection charges.
Deferred payment agreement	165.0404 (3)	SBC Ameritech	Proposes minimum and maximum duration limits for deferred payment agreements. Suggests a timeframe of between three and twelve months.	Matrix page 46	Establishing a timeframe between three and twelve months is reasonable.	Disagree. Imposing minimum and maximum time periods for DPAs unnecessarily limits provider flexibility.
Deferred payment agreement	165.0404 (3)	TDS Metrocom	Clarify that every dpa entered into because of the customer's failure to pay need not be extended longer than six months.	Page 39	No reason given.	Disagree. Imposing minimum and maximum time periods for DPAs unnecessarily limits provider flexibility.

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Deferred payment agreement	165.0404 (3)	TDS Metrocom	Delete reference to the "customer's inability to pay" in this section.	Page 39	The customer's ability to pay is too subjective and is incapable of ready determination. Such an open-ended standard invites an endless series of disputes.	Disagree. "Customers inability to pay" is current language. Also, inability means the customer anticipates not being able to pay the bill vs. "failure to pay" which means a payment was missed.
Deferred payment agreement	165.0404 (3)	WorldCom, Inc.	The word "or" in this subsection should be changed to "and."	Page 23	Simple failure to pay does not warrant requiring the provider to offer the customer a dpa. DPAs should be granted only to those customers who cannot pay, and not to those who simply choose not to.	Disagree. Current provisions in (4) allow telcos to determine "reasonableness" based on specific criteria such as ability to pay. It's not unreasonable to require a telco to offer a DPA to a customer who expresses a problem paying a bill in full.
Deferred payment agreement	165.0404 (4)	SBC Ameritech	Do not require that a provider gather "personal" information when establishing a dpa.	Matrix page 46	Information about a customer's "household size, income and expenses" is considered personal information and providers are prohibited from requesting such information.	Agree in part. Change made so that consideration of listed factors is only required if the customer rejects the provider's initial DPA offer based on information available to the provider, i.e., size of delinquent account, customer's payment history, time debt has been outstanding.
Deferred payment agreement	165.0404 (4)	SBC Ameritech	The "ability to pay" is an unworkable and subjective criterion.	Matrix page 47	A customer's ability to pay is irrelevant if based upon the customer's payment history, the customer is unwilling to pay.	Disagree. The customer's ability to pay is included in the current rules. It is included because it is an essential element in determining the terms of a DPA.
Deferred payment agreement	165.0404 (4)	TDS Metrocom	This provision should be revised to eliminate the following factors from the reasonableness determination: 1) customer's ability to pay; 2) household size, income and expense; and 3) any other relevant factors concerning the circumstances of the customers.	Page 40	These factors are too subjective and are incapable of ready determination.  It is somewhat ironic that the rules seek to require a provider to ascertain and accommodate a customer's ability to pay after the customer has run up a bill for services and cannot pay for them, when the rules are totally silent on allowing a provider to ascertain a customer's ability to pay prior to establishing service.	Disagree. This information is normally provided to companies extending credit which is essentially what a DPA is. Providers can craft different DPAs depending on the customer's situation. With regard to the information a provider requests when a customer goes on service, the presumption is that the customer has the ability to pay when requesting service. When the provider is in the position of extending credit in the form of a DPA, it is acceptable to request additional information. Will revise language so that consideration of listed factors is only required if the customer rejects the provider's initial DPA offer based on information available to the provider, i.e., size of delinquent account, customer's payment history, time debt has been outstanding.

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Deferred payment agreement	165.0404 (4)(f)	WorldCom, Inc.	This provision for considering household size, income and expenses when determining the terms of a DPA should be deleted.	Page 23 - 24	It is redundant, vague and confusing. The items in this section can be included in other provisions of the rule including (b) the customer's ability to pay, (e) reasons why the debt has been outstanding, and (g) any other relevant factors concerning the circumstances of the customer.	Agree in part. Language changed so that consideration of listed factors is only required if the customer rejects the provider's initial DPA offer based on information available to the provider, i.e., size of delinquent account, customer's payment history, time debt has been outstanding.
Deferred payment agreement	165.0404 (5) & (7)	TDS Metrocom	Delete the language "and there has not been a significant change in the customer's ability to pay since the agreement was negotiated."	Page 41	If the customer has not fulfilled the terms of a DPA, the provider should have the right to disconnect service regardless of any changed circumstances. Making disconnection contingent upon there being no "significant change in the customer's ability to pay since the agreement was negotiated would make disconnection nearly impossible.	Disagree. A significant change in the customer's ability to pay is sure to affect their capacity to meet financial obligations. This would not include any and all changes in a customer's situation, just significant changes that impact ability to pay. This provision should only affect a very small number of DPAs. Also, the proposed language is consistent with language in other PSC rules.
Deferred payment agreement	165.0404 (5)(a)2	TDS Metrocom	Revise to clarify that while a customer has the right to suggest a different payment agreement, the provider is not required to accept the suggestion.	Page 41	Otherwise an unreasonable expectation may be created in the customer.	Agree. Changed "suggest" to "negotiate for." Combined with (3) allowing the customer to ask the commission to review the disputed issues, it's clear the customer would not have an unreasonable expectation that the provider must accept any counter offer. In addition, the information in (5)(a) is not a script but is a list of points to be communicated to the customer. Providers are not prohibited from adding clarification to customers.
Deferred payment agreement	165.0404 (5)(a)2. & 3	SBC Ameritech	Delete the requirement of informing the customer that "they have a right to suggest a different payment agreement", and "if you cannot agree on terms, you can ask the commission to review the disputed issues. These requirements are no longer necessary under the proposal to have a written nondiscriminatory deferred payment plan acceptable to the Commission."	Matrix page 47	These requirements are no longer necessary under the proposal to have a written nondiscriminatory deferred payment plan acceptable to the Commission.	Agree in part. Changed "suggest" to "negotiate for." We rejected the company's proposal to have a non-discriminatory DPA policy. Even if we had accepted the proposal, we believe these provisions are necessary components of the DPA process.

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Deferred payment agreement	165.0404 (5)(a)3.	SBC Ameritech	Delete section.	Matrix page 47	Any dispute regarding the deferred payment agreements should be resolved according to the escalation and dispute procedures set forth in the proposed rules.	Disagree. We rejected the company's proposal to have a non-discriminatory DPA policy because it would eliminate flexibility in the DPA process. Flexibility is necessary to accommodate variations in customer circumstances. Also, the customer needs to be involved in the negotiation of a DPA and to be able to pursue disputes with the PSC.
Deferred payment agreement	165.0404 (5)(b)	AT&T	Revise to clarify that the DPA is in effect based on the payment arrangements made by telephone and the written DPA is only confirmation of those arrangements.	Page 25	The rule language doesn't specify whether or not the customer is bound by the verbal DPA.  Requiring the customer's signature would cause significant delays, increase administrative burdens and promote fraud by giving certain customers time to accrue additional charges that the customer never intends to pay.  A signature requirement could also result in the customer being disconnected prior to accepting the agreement if they failed to return the confirmation prior to the date specified in their DC notice.	Agree. Change made.
Deferred payment agreement	165.0404 (5)(b)	SBC Ameritech	Delete last sentence allowing the commission to require a provider to use written deferred payment agreements.	Matrix page 47	SBC Ameritech's proposal that all providers have a written deferred payment policy eliminates the need for a discretionary requirement to have a written DPA.	Disagree. The commission expects to require a provider to use written DPAs only if there are persistent problems involving discrepancies between the provider and the customer's recollection of the terms of an oral DPA or related persistent problems. It is also necessary for Commission flexibility.
Deferred payment agreement	165.0404 (5)(b)	WorldCom, Inc.	WorldCom's systems are multi-state and are not designed for the capability to issue state-specific written dpa agreements upon demand.	Page 24	It would be tremendously expensive and time consuming to implement a WI-specific requirement. The provider should not be required to incur such tremendous expense to accommodate customers who have already demonstrated an inability to make timely payments.	The commission expects to require a provider to use written DPAs only if there are persistent problems involving discrepancies between the provider and the customer's recollection of the terms of an oral DPA or related persistent problems. It is also necessary for Commission flexibility.

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Deferred payment agreement	165.0404 (5)(c)	SBC Ameritech	Proposes deleting this section.	Matrix page 52	Implementing language specific to Wisconsin rules limits efficiencies that providers have when serving several states. The rules should not dictate precise language that should be included in a written agreement. If not deleted, this section of the rules should be modified per SBC Ameritech's suggestion on page 52 of the matrix.	Disagree. The commission intends to require a provider to use written DPAs only if there are persistent problems involving discrepancies between the provider and the customer's recollection of the terms of an oral DPA or related persistent problems. The provision is also necessary for Commission flexibility.
Deferred payment agreement	165.0404 (5)(c)	SBC Ameritech	Delete requirement for written deferred payment agreements.	Matrix Page 52	It is inefficient to develop state-specific forms. The rules should not dictate the precise language that should be included in a written agreement.	Disagree. The Commission expects to require a provider to use written DPAs only if there are persistent problems involving discrepancies between the provider and the customer's recollection of the terms of an oral DPA or related persistent problems. The provision is also necessary for Commission flexibility.
Deferred payment agreement	165.0404 (7)	SBC Ameritech	Suggest removing language "and there has not been a significant change in the customer's ability to pay since the agreement was negotiated."	Matrix page 53	"Significant change" is a subjective standard that is unworkable. Providers should not have to make judgments about whether payment ability circumstances have changed, much less whether they are significant.	Disagree. A significant change in the customer's ability to pay is sure to affect their capacity to meet financial obligations. This would not include any and all changes in a customer's situation, just significant changes that impact ability to pay. This provision should only affect a very small number of DPAs. Also, the proposed language is consistent with language in other PSC rules.
Deferred payment agreement	165.0404 (8)	TDS Metrocom	This provision should be revised to clarify that if a customer currently under a DPA fails to pay the current monthly bill, the provider is not obligated to offer any additional DPA prior to termination of the service.	Page 41	A provider should not be required to continue to provide service to a customer that is not fulfilling the terms of a DPA and is not paying its bills.	Agree in part. This language is included in PSC 165.0404(7), but changed location in the rule for clarification.
Deferred payment agreement	165.0404 (9)	Verizon	Delete and replace with suggested language (see pg 23 of Verizon comment.) The result is to add partial payment language from 165.0401(13) (Customer billing) to this section.	Page 23	If payments were applied per the proposed rules, the customer could still lose dial tone for nonpayment of the past due deniable charges.  Verizon does not have the system capability to apply the payments in a specific manner depending on these different situations.	Agree in part. Change made so that partial payments are first applied to deniable charges and then to nondeniable charges, regardless of whether the charges are current or delinquent.

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Deferred payment agreement	165.0404 (9)(b)	SBC Ameritech	Change "applied to the arrearage" to "carried forward to the next bill as a credit."	Matrix page 47	The future DPA payments are not an arrearage. If the customer pays more than the full amount due, there is nothing else (i.e., no arrearage) to apply the overpayment to. Therefore the overpayment amount will be carried forward and applied to the next bill as it comes due in accordance with the commission's rules on partial payment allocation in proposed PSC 165.0401(13).	Disagree. Unpaid amounts of a DPA are considered an arrearage regardless of how individual providers account for the amount in their respective accounting systems or how it appears on the customer's bill..
Deferred payment agreement	165.0404 (9)(c)	AT&T	Revise so that delinquent charges are paid first, not current charges as proposed in the rule	Page 25	Delinquent charges should be paid first, not current charges as proposed in the proposed rule.	Agree in part. Revised so that partial payments are applied to the DPA amount, then the current deniable charges and then the current nondeniable charges.
Deferred payment agreement	165.0404 (9)(c)	SBC Ameritech	SBC Ameritech rejects this provision.	Matrix page 48	Customers should be held accountable for the entire billed amount, both current and past due. Failure to make a complete payment should result in provider discretion to disconnect or refuse service.	Agree in part. Revised so that partial payments are applied to the DPA amount, then the current deniable charges and then the current nondeniable charges. It is important to preserve a customer's local service which is accomplished by crediting any partial payments received to the deniable charges first. Doing this lowers the payment needed to prevent disconnection. Also, providers have the ability to block access to services that result in nondeniable charges.
Deferred payment agreement	165.0404 (9)(c)	SBC Ameritech	SBC Ameritech rejects the provision regarding the application of partial payments.	Matrix Page 48	For the policy reasons explained in the prior comment and because the requirement to allocate deferred payment plan payments first to current charges and then to arrears imposes an onerous implementation burden.  Identifying exactly how a payment should be applied does not solve the ultimate problem because the customer remains longer in arrears.	Agree in part. Revised so that partial payments are applied to the DPA amount, then the current deniable charges and then the current nondeniable charges. It is important to preserve a customer's local service which is accomplished by crediting any partial payments received to the deniable charges first. Doing this lowers the payment needed to prevent disconnection. Also, providers have the ability to block access to services that result in nondeniable charges.



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Definition of ability to pay	165.0102 (1)	AT&T	Revise to indicate providers may consider the customer's payment history for telco services provided by other providers and for other classes of telco services, credit bureau information pertaining to the customer's credit worthiness.	Page 13	Definition is vague and uncertain. Financial capacity to meet payment obligations is very subjective.	Agree in part. Did not revise definition since there may or may not be a correlation between a customer's credit history and his or her current "ability to pay." Revised applicability of the Application for service section so that CLECs may require credit information as part of the application process.
Definition of complaint	165.0102 (11)	AT&T	Revise to impose a minimum standard requiring a specified assertion of provider failure upon which investigation and action can be reasonably taken.	Page 13	Definition is too broad and amorphous.	Disagree. The definition provides the flexibility necessary to encompass the myriad of situations that may arise in a competitive environment. It also limits complaints to those that involve provider obligations under the authority of Chapter 196.
Definition of complaint	165.0102 (11)	Charter Communications	Revise definition to state "A formal allegation against a party provided in writing to the PSCW."	Page 5	The proposed language is so imprecise that it creates an unreasonable obligation on the provider to record and process nearly every comment and inquiry made by a customer or non-customer.	Disagree. A complaint is a complaint regardless of whether it has escalated to the Commission. In addition, there is no current requirement to make the complaint in writing. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission and to keep a record of those complaints.
					A customer's request for investigation to the PSC should be in writing. Oral communication of complaints only services to create misunderstanding and miscommunications.	
					Focus will switch from efficient customer issue resolution to recording and storing complaint data.	
Definition of complaint	165.0102 (11)	Chibardun Telephone and CTC Telecom	A complaint should not be able to be filed by someone that is not a customer.	Page 2		Agree in part. Deleted "The person expressing the concern may or may not be a customer." Added language limiting a non-customer filing a complaint to an applicant or an affected person.
Definition of complaint	165.0102 (11)	Chibardun Telephone and CTC Telecom	The definition is ambiguous at best.	Page 2	It depends on how something is phrased as to whether it is an inquiry or a complaint.	Agree in part. Clarified language to require a specific assertion rather than just "expressing a concern." Also, deleted "dissatisfaction" from the definition for clarity.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Definition of complaint	165.0102 (11)	Frontier (including Rhinelander)	Limit the definition to "a formal communication to a regulatory body."	Page 2	If the definition is not limited the investigation and recordkeeping requirements imposed on carriers will be staggering and potentially increase on an exponential basis.	Disagree. A complaint is a complaint regardless of whether it has escalated to the highest level of a provider's customer dispute process or the Commission. The existing rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. It also requires providers to keep a record of those complaints.
Definition of complaint	165.0102 (11)	Frontier (including Rhinelander)	The statement "the person expressing the concern may or may not be a customer" is inconsistent with PSC 165.0202(1) which relates to investigations of "complaints made by its customers."	Page 2		Agree. Change made to PSC 165.0202(1).
Definition of complaint	165.0102 (11)	Frontier (including Rhinelander)	The definition of "complaint" is too expansive.	Page 2	Almost any statement or inquiry by any person could be termed a "complaint."	Agree in part. Deleted "The person expressing the concern may or may not be a customer." Added language limiting a non-customer filing a complaint to an applicant or an affected person.
Definition of complaint	165.0102 (11)	Marquette-Adams Telephone Cooperative	The definition of complaint is too broad. Our billing system is incapable of maintaining records of this type.	Page 4	Our billing system is incapable of maintaining records of this type.	Agree in part. Clarified language to require a specific assertion rather than just "expressing a concern." Also, deleted "dissatisfaction" from the definition. With regard to maintaining complaint records, the current rule requires telecommunication utilities to keep a record of all types of complaints made by its customers, either directly to it or through the Commission, and to keep a record of all pertinent facts related to the complaint.
Definition of complaint	165.0102 (11)	Northeast Telephone Company	The definition of "complaint" is too broad.	Page 4	It is confusing, open to broad interpretation, and illogical.	Agree in part. Clarified language to require a specific assertion rather than just "expressing a concern." Also, deleted "dissatisfaction" from the definition for clarity.
Definition of complaint	165.0102 (11)	Northeast Telephone Company	Objects to the definition of "complaint," because it allows "anyone (whether they are a customer or not) to make a complaint against the company.	Page 4	The definition allows "anyone (whether they are a customer or not) to make a complaint against the company.	Agree in part. Deleted "The person expressing the concern may or may not be a customer" and added language limiting a non-customer filing a complaint to "an affected person."

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Definition of complaint	165.0102 (11)	SBC Ameritech	The proposed definition of complaint is impractical and unworkable.	Matrix page 2	The proposed definition fails to require that a customer's concern be articulated to anyone in particular.  The proposed definition could be interpreted to include many customer communications that should not have to be tracked by either the provider or the Commission. That is, if the customer's problem, misunderstanding, or concern is currently resolved with little customer effort in a single contact with the CSRs it need not be tracked.	Agree in part. Clarified language to require a specific assertion rather than just "expressing a concern." Also, deleted "dissatisfaction" from the definition for clarity.
Definition of complaint	165.0102 (11)	SBC Ameritech	The definition is too broad. SBC recommends that the term "complaint" be defined as a complaint brought to the Commission or to the highest level of the provider's formal customer dispute resolution escalation process.	Pages 15-16	The enormous potential cost of modifying business office support systems, training employees, or hiring additional employees to comply with the requirements that the proposed definitions will require is not justifiable.  A broad definition of "complaint" will have a significant adverse and unjustified impact on providers.	Disagree. A complaint is a complaint regardless of whether it has escalated to the highest level of a provider's customer dispute process or the Commission. The current rule requires telecommunication utilities to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission, and requires providers to keep a record of those complaints.
Definition of complaint	165.0102 (11)	TDS Metrocom	The proposed definition of "complaint" should be revised to eliminate the inclusion of a "wrong, grievance, or dissatisfaction."	Page 13	These terms are too vague and would substantially and significantly increase a provider's record requirements. The terms "injury, illegal action or procedure, dangerous condition or action" adequately describe those circumstances in which a person may be making what normally is understood to be a "complaint."	Agree in part. Clarified language to require a specific assertion rather than just "expressing a concern." Also, deleted "dissatisfaction" from the definition.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Definition of complaint	165.0102 (11)	TDS Telecom	The statement that "The person expressing concern may or may not be a customer" is unclear.	Pg. 6	It is unclear.	Agree. Deleted "The person expressing the concern may or may not be a customer" and added language limiting a non-customer filing a complaint to "an affected person."
Definition of complaint	165.0102 (11)	Wisconsin State Telecommunications Association	Revise definition since it appears to be very broad with regard to what is meant by provider obligations.	page 5		"Provider obligations" is relative and must be broad enough to work with a changing industry.
Definition of complaint	165.0102 (11)	Wisconsin State Telecommunications Association	Since provider obligations generally relate to customers, should someone who's not a customer be able to file a complaint?	Page 6		Agree in part. Deleted "The person expressing the concern may or may not be a customer" and added language limiting non-customers filing complaints to applicants and "affected persons."
Definition of complaint	165.0102 (11)	WorldCom, Inc.	Limit non-customers who may file a complaint.	Page 5	The definition of complaint is overbroad in that it would cover practically any allegation in any context made by anyone, including a non-customer.	Agree in part. Deleted "The person expressing the concern may or may not be a customer." Added language limiting a non-customer filing a complaint to an applicant or an affected person.
Definition of complaint	165.0102 (11)	WSTA	Non-customers should not be able to file complaints.	Page 4	If the rule is to accommodate individuals that are not customers it should be more specific.	Agree in part. Deleted "The person expressing the concern may or may not be a customer" and added language limiting a non-customer filing a complaint to "an affected person."
Definition of complaint	165.0102 (11)	WSTA	The definition of complaint is broad, as is its application. Delete the word "dissatisfaction" from the definition.	Page 4	The use of the word "dissatisfaction" puts the emphasis on something the customer is or is not feeling rather than something the telco did or did not do.	Agree in part. The definition is necessarily broad, but we have deleted "dissatisfaction" from the definition.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Definition of complaint	165.0102 (11)	WSTA	Objects to the definition of "complaint." WSTA contends that the only complaints for which they should be required to retain records are those that could not be resolved by the service representative and therefore rise to the level of a company's executive office or the Public Service Commission.	Page 4	WSTA contends that the only complaints for which they should be required to retain records are those that could not be resolved by the service representative and therefore rise to the level of a company's executive office of the Public Service Commission.	Disagree. A complaint is a complaint regardless of whether it has escalated to the highest level of a provider's customer dispute process or the Commission. Under the current rules, telecommunication utilities are required to make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission. The rules also require providers to keep a record of those complaints.
Definition of complaint	165.0202 (11)	WorldCom, Inc.	Definition is too broad and could encompass routine calls to customer service. Revise to cover only complaints from state agencies and internal complaints, but not all calls to customer service. WorldCom's record keeping processes for documenting calls to customer service cannot accommodate the requirements reflected in this rule because such call records are kept by account number, not by type.	page 7	WorldCom's record keeping processes for documenting calls to customer service cannot accommodate the requirements reflected in this rule because such call records are kept by account number, not by type. WorldCom could comply if the definition was narrowed.	Agree in part. Clarified language to require a specific assertion rather than just "expressing a concern." Also, deleted "dissatisfaction" from the definition. The definition would not require providers to track all calls to customer service. Also, the requirement in PSC 165.0202(2) to keep complaint records by type was deleted. Current rules require providers to "make a full investigation of all types of complaints made by its customers, either directly to it or through the Commission." The rules also require providers to keep a record of those complaints.
Definition of cramming	165.0102 (12)	WorldCom, Inc.	Delete "misleading or deceptive" from the definition. Revise to read, "The practice of causing unauthorized charges to be placed on a customer's bill for telecommunications services."	Page 5	Only unauthorized charges constitute cramming. Truth-in-billing rules address the presentation of charges and misleading or deceptive charges are addressed in other sections of the rules.	Disagree. This definition mirrors the definition of "cramming" in the FCC Best Practices Guidelines.
Definition of customer	165.0102 (13)	AT&T	Revise definition so that a customer is limited to residential users and businesses with less than three single access voice grade lines.	Page 13	Definition of customer in this section differs from definition of customer in the slamming rules. These definitions should be internally consistent.	Disagree. Applicability to residential and/or business customers is identified in individual rule sections rather than in the definition of "customer."
			Definition should be consistent with the definition of "subscriber" in the federal rules.			

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Definition of customer	165.0102 (13)	TDS Metrocom	The proposed definition of "customer" should be revised to include those persons that are suspended for nonpayment, but have not been disconnected (terminated from service.)	Page 14	A person that has been disconnected or terminated from service is no longer a customer.	Disagree. It is our interpretation that someone is a "customer" until they are terminated from service. The definition of "disconnection" includes persons suspended for non-payment (lacking dial tone) but not "terminated from service."
Definition of customer	165.0102 (13)	Verizon	Definition should apply only to residential customers. If businesses aren't excluded, then it should apply to businesses with no more than 3 access lines. Any business under contract should be excluded from the proposed rules.	Page 7	Businesses are not reasonably considered to be consumers.  Large businesses are sophisticated purchasers and users of telecommunications products sold with contracts that provide adequate protections.	Disagree. Applicability to residential and/or business customers is identified in individual rule sections rather than in the definition of "customer."
Definition of Customer	165.0102 (13)	Verizon	The definition should include only retail end-users and not wholesalers and resellers.	Page 60		Disagree. Wholesellers and resellers are included as "customers" in the current definition. Generally, a provider has contracts with wholesalers and resellers and, therefore, the provisions of the contract would supercede the provisions in these rules.
Definition of customer	165.0102 (13)	WorldCom, Inc.	The definition of "customer" in this section differs from the one used in the Provider selection changes and freezes sections.	Page 6	The definition of customer should be consistent throughout PSC 165.	It was necessary to have a more specific definition of "customer" for the Provider selection changes and freezes sections to identify who is authorized to make such changes.
Definition of customer trouble report	165.0102 (14)	TDS Metrocom	Definition of "customer trouble report" should be revised to indicate "failure or material impairment in."	Page 13		This is a technical standard not addressed in this rulemaking.
Definition of deniable charge	165.0102 (15)	AT&T	Revise so that charges for all types of services should remain deniable charges.	Page 13	A provider should have the flexibility to disconnect service for nonpayment whether it involves charges for local exchange service or toll service.  Making a distinction between deniable and nondeniable charges is an open invitation for the nonpayment of any service beyond local service.	Disagree. The differentiation is provided in the Federal "Truth in Billing" rules. Maintaining a high level of subscription to essential telecommunications service is in part dependent on unlying disconnection of that service from the discretionary vertical services that may be restricted on a customer's service if unpaid.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Definition of deniable charge	165.0102 (15)	SBC Ameritech	Clarify the definition of "deniable charge" to include Ameritech's suggested definition of "basic telephone service."	Matrix Page 4		Disagree. The intent of this definition is to separate disconnection of basic local exchange service from nonpayment of services that may be restricted on a customers line or lines.
Definition of deniable charge	165.0102 (15)	Verizon	Revise definition to include ECC and EAS as part of basic local exchange service.	Page 5-6	EA and ECC charges should be included to ensure consistency with the statutory definition of basic local exchange service.	Agree in part. No change needed. EAS and ECC are basic local services and included in deniable charges.
Definition of deniable charge	165.0102 (15)	Verizon	Deniable charges should also include telco equipment, third-party billings, toll and services such as call waiting, caller ID, etc.	Page 5-6	Only customers who legitimately deserve to be DC are removed from service, and regulations that interfere with a provider's legitimate prerogative to do this should be rejected.	Disagree. The intent is to separate disconnection of basic local exchange service from nonpayment of services and items that may be restricted on a customers line or lines. Federal "Truth in Billing" standards limit "deniables" to charges for basic local service.
Definition of deniable charge	165.0102 (15)	Verizon	Deniable charges should also include telco equipment, third-party billings, toll and services such as call waiting, caller ID etc.	Page 5	Only customers who legitimately deserve to be DC are removed from service, and regulations that interfere with a provider's legitimate prerogative to do this should be rejected.	Disagree. The intent of this definition is to separate disconnection of basic local exchange service from nonpayment of services that may be restricted on a customers line or lines.
Definition of Deniable charge	165.0102 (15)	Wisconsin State Telecommunications Association	Items such as taxes, surcharges, and subscriber line charges should be included in the definition of "deniable charges."	Page 8		Agree. Revised definition to state "charges directly associated with a customer's basic local service."

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Definition of disconnection	165.0102 (16)	TDS Metrocom	The proposed definition of "disconnection" should be revised to make it more technically accurate.	Page 14	It should be defined to mean "a direct action by a provider that results in a customer no longer having access to dial tone and after which reestablishment of dial tone may require a new application for service."	Disagree. "Disconnection" or loss of dial tone is differentiated from "termination" or closing a customer's account in the definitions.
Definition of dispute	165.0102 (17)	AT&T	Clarify to impose a minimum standard requiring a specified assertion of provider failure upon which investigation and action can be reasonably taken.	Page 13	Definition is too broad and amorphous. Also, see comments for definition of "Complaint."	Disagree. The definition provides the flexibility necessary to encompass the myriad of situations that may arise in a competitive environment. It also limits complaints to those that involve provider obligations under the authority of Chapter 196.
Definition of dispute	165.0102 (17)	TDS Metrocom	The proposed definition of "dispute" should not extend to persons who are not customers of the provider.	Page 15	There is no reason to allow a member of the general public to bring some kind of dispute over a service arrangement to which that person is not even a party.	Agree in part. Deleted "The person raising the dispute may or may not be a customer" and added language limiting non-customer disputes to an applicant or an affected person.
Definition of dispute	165.0102 (17)	WorldCom, Inc.	Limit non-customers who may raise a dispute.	Page 6	This implicates issues regarding non-lawyer third parties who seek to "represent" customers by pursuing disputes against providers thought the Commission's complaint process.	Agree. Deleted "The person raising the dispute may or may not be a customer" and added language limiting non-customer disputes to an applicant or an affected person.
Definition of full service	165.0102 (19)	TDS Metrocom	The proposed definition of "full service" should be revised to make it clear that the phrase means "access to the local and toll network, including all features and services normally offered by the particular provider in that exchange."	Page 15	It is not appropriate to try to micro-manage a CLEC's business through regulation by telling a CLEC which services to offer.	This definition has been deleted.
Definition of installment payment agreement	165.0102 (22)	AT&T	Delete reference to being able to pay a deposit in installments.	Page 13	Allowing payment of a deposit in installments defeats the purpose for requiring the deposit in the first place.	This definition has been deleted.



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Definition of installment payment agreement	165.0102 (22)	TDS Metrocom	The proposed definition of Installment payment agreement should not include an arrangement between a provider and a customer for the payment of a deposit.	Page 15	The payment of a deposit in installments over a span of time essentially means that a deposit can be equal to only the first installment, since a customer is put on service upon payment of the first installment.	This definition has been deleted.
Definition of network interface device	165.0102 (25)	TDS Metrocom	The definition of NID should be expanded.	Page 16		This is a technical standard not addressed in this rulemaking.
Definition of non-deniable charge	165.0102 (27)	AT&T	Revise so that charges for all types of services should remain deniable charges.	Page 14	A provider should have the flexibility to disconnect service for nonpayment whether it involves charges for local exchange service or toll service.  Making a distinction between deniable and nondeniable charges is an open invitation for the nonpayment of any service beyond local service.  At the very least, toll should be removed from the definition of "non-deniable."	Disagree. Federal "Truth in Billing" standards limit "deniables" to charges for basic local service. Maintaining a high level of subscription to basic local service is in part dependent on untying disconnection of that service from the discretionary vertical services. Concurrent with these rule revisions a provider may restrict access to toll, pay-per-use services and vertical services if unpaid.
Definition of non-deniable charge	165.0102 (27)	Marquette-Adams Telephone Cooperative	Objects to definition of "non-deniable charge." Unpaid toll accounts should be restricted.	Pages 4-5	It has been the IXC's position for toll billed by the local provider, that under the billing and collection agreements they intend for unpaid accounts to be restricted by the local company.	Disagree. The differentiation is provided in the Federal "Truth in Billing" rules. Payment may still be required under threat of restriction of access by the local service provider to the unpaid services.
Definition of non-deniable charge	165.0102 (27)	Marquette-Adams Telephone Cooperative	Objects to the definition of "non-deniable charge." Customer requested optional items should be deniable.	Pages 4-5	The non-deniable charges listed include toll and such local service items as call waiting, caller ID and 3-way calling. The calling features are customer requested items from the local provider	Disagree. Maintaining a high level of subscription to basic local service is in part dependent on untying disconnection of that service from the discretionary vertical services. Concurrent with these rule revisions a provider may restrict access to toll, pay-per-use services and vertical services if unpaid.

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Definition of non-deniable charge	165.0102 (27)	Marquette-Adams Telephone Cooperative	Objects to definition of "non-deniable charge." Removes ability of provider to require payment of customer-requested or customer-dialed services.	Pages 4-5	Removing the ability of the companies to require payment of customer requested or customer-dialed services will have a serious effect on the operations of the telco.	Disagree. The differentiation is provided in the Federal "Truth in Billing" rules. Payment may still be required under threat of restriction of access by the local service provider to the unpaid services.
Definition of non-deniable charge	165.0102 (27)	SBC Ameritech	Objects to definition of "non-deniable charge."	Matrix Pages 4-5	Cost of implementation of an unjustified expansion of non-deniable charges from the current industry practice would be onerous.	Disagree. Maintaining a high level of subscription to basic local service is in part dependent on unlying disconnection of that service from the discretionary vertical services. Concurrent with these rule revisions a provider may restrict access to toll, pay-per-use services and vertical services if unpaid. Restriction of service under SBC's TelCAP program currently provides a significant reduction in uncollectibles.
Definition of non-deniable charge	165.0102 (27)	SBC Ameritech	Objects to the definition of non-deniable charge including toll and vertical services which allows customers to accrue debt they will not pay.	Matrix page 4	The proposed definition makes toll and vertical services non-deniable, which will allow customers to be able to accrue debts for services that are not essential and for which they will never pay.  Without the threat of the loss of dial tone, there is a substantially increased likelihood that these charges will go unpaid with the cost of carrying charges unjustifiably shifted elsewhere.	Disagree. Maintaining a high level of subscription to basic local service is in part dependent on unlying disconnection of that service from the discretionary vertical services. Concurrent with these rule revisions a provider may restrict access to toll, pay-per-use services and vertical services if unpaid. Restriction of service under SBC's TelCAP program currently provides a significant reduction in uncollectibles.
Definition of non-deniable charge	165.0102 (27)	SBC Ameritech	The phrase "but not limited to" creates ambiguity and invites litigation.	Matrix Page 4	Providers cannot comply if they do not know precisely how charges are expected to be categorized.	Disagree. Using examples avoids having to provide a very long list of all possible non-deniable charges which may easily become outdated.
Definition of non-deniable charge	165.0102 (27)	SBC Ameritech	Objects to the definition of "non-deniable charge" as going beyond the range of services included in definitions and practices elsewhere.	Matrix Page 4	The Commission's definition expands the concept of "non-deniable charge" far beyond the range of services included in definitions and practices elsewhere. SBC Ameritech's proposed modification employs the concept of "basic telephone service" as proposed previously.	Disagree. SBC/Ameritech's proposed substitute "basic local service" definition excludes the same services and thus makes them non-deniables. Also, federal "Truth in Billing" orders limit deniables to a basic local service charge.

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Definition of non-deniable charge	165.0102 (27)	TDS Telecom	Do not reclassify as non-deniable, services for which companies may now disconnect for nonpayment (i.e. vertical services).	Pg. 6-7		Disagree. The only services reclassified from deniable to non-deniable are those services that can be unsubscribed or blocked. Allowing the LEC to use the threat of disconnection of basic local service to collect for costs other than basic local service is contrary to universal service goals.
			If do reclassify, change so that while company cannot disconnect dial tone for nonpayment, may disconnect that service for which payment has not been received.			
Definition of non-deniable charge	165.0102 (27)	Verizon	The definition of non-deniable charge should be deleted. If not deleted, it should only apply to residential customers.	Page 6	With Verizon's Advanced Credit Management toll block program and written notices for DC, it is not necessary to create a separate "non-deniable" category.	Disagree. The only services reclassified from deniable to non-deniable are those services that can be unsubscribed or blocked. Allowing the LEC to use the threat of disconnection of basic local service to collect for costs other than basic local service is contrary to universal service goals.
					No regulatory body should support attempts by businesses to avoid payment of legitimately incurred costs.	Also, federal "Truth in Billing" orders limit deniables to a basic local service charge. Restriction of service under SBC's TelCAP program currently provides a significant reduction in uncollectibles.
Definition of non-deniable charge	165.0102 (27)	WSTA	Delete the second sentence in this subsection.	Page 4	Because it states a non-deniable charge includes but is not limited to the charge for telecommunications equipment, third-party billings, toll and services such as call waiting, caller ID and three-way calling."	Disagree. The sentence adds clarity. The only services reclassified from deniable to non-deniable are those services that can be unsubscribed or blocked. Allowing the LEC to use the threat of disconnection of basic local service to collect for costs other than basic local service is contrary to universal service goals.
Definition of non-deniable charge	165.0102 (27)	WSTA	The term needs to be clearly defined.	Page 4-5	This definition is taken from the federal Truth-in-Billing regulations. The FCC has said whether a charge is, or is not, deniable varies according to state law.	Disagree. Using examples avoids having to provide a very long list of all possible non-deniable charges which may easily become outdated.
Definition of prompt payment	165.0102 (30)	SBC Ameritech	There is no justification for applying a different concept of "prompt payment" in the context of telecommunications services.	Matrix Page 5	The customary business understanding and application of the term "prompt payment" is payment by the due date established on the customer's bill.	Disagree. This definition allows flexibility in provider due dates but recognizes when the rules permit the issuance of a disconnect notice. We revised the disconnect section to reference the due date on the bill.
					Non-payment by the due date adversely affects cash flow.	

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Definition of provider	165.0102 (32)	AT&T	The definition should distinguish between ILECs and CLECs.	Page 14	<p>Failure to do so ignores the fact that ILECs currently possess far more market power than CLECs and that CLECs face competitive pressures to which ILECs are not subjected.</p> <p>Historically, consumer protection rules were a surrogate to competition. Where there is only ILEC service, there still needs to be regulation. Where there is competition, that will replace regulation.</p> <p>Marketplace pressures to satisfy customers is an adequate and effective substitute for agency regulation.</p>	Disagree. Differences between ILECs and CLECs will be handled by varying the applicability of specific sections within the rule.
Definition of regrade	165.0102 (33)	TDS Metrocom	Revise to eliminate the phrase "usually better."	Page 16	<p>Marketplace pressures to satisfy customers is an adequate and effective substitute for agency regulation.</p>	This is a technical definition that is not part of this rulemaking.
Definition of termination of service	165.0102 (40)	TDS Metrocom	The proposed definition of "termination of service" should be revised to exclude "direct action taken by a provider to close a customer's account."	Page 16	<p>Disconnection of the physical service is the operative concept. Closing a customer's account more accurately is a billing function.</p>	Agree in part. Revised to reference the physical release of the facilities for reuse. Retained language referencing the closing of the customer's account. When a provider terminates service, it should not keep the account open for billing purposes. This language ensures that situation doesn't occur.
Definition of written	165.0102 (43)	SBC Ameritech	Do not require providers to seek permission to send an electronic message.	Matrix page 5	<p>If these rules are to be truly updated, they must recognize the near ubiquitous availability of electronic messaging.</p> <p>A provider is not going to send electronic message to a customer unless the customers provides an address. Forcing providers to affirmatively seek permission is unnecessary and unwieldy.</p>	Disagree. Electronic messaging does not provide a mechanism to preserve the message for future reference. Only customers who agree to receive electronic messages should be provided messages in that way.

This change is consistent with DATCP rules which allow electronic communication, and do not contain cumbersome "opt-out" provisions.

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Definitions	165.0102	SBC Ameritech	Add definition for "regulated optional local service."	Matrix pgs. 1-2	All terms used in the rules should have definitions.	Disagree. The definition of "regulated optional local service" varies depending on the type of provider and the type of regulation the provider is subject to.
Definitions	165.0102	SBC Ameritech	Add the following definition for basic telephone service. "Basic telephone service means essential telecommunications services under s. PSC 160.03(2), when such services are provided over a primary access line to residential customers with three or fewer access lines.	Matrix pgs. 1-2	Existing definitions of classes of service may be insufficient because they do not apply to all providers of the service.	Agree in part. Added a definition for "basic local service." This definition is not limited to residences and businesses with fewer than four lines, and is not limited to primary lines. We believe this definition is more appropriately used in the sections SBC proposes using its definition of "basic telephone service." For example, SBC's definition would not require out-of-service compensation for non-primary lines or vertical services which we believe should be included for compensation. Also clarified the definition of deniable and non-deniable using the new definition of "basic local service."
Definitions	165.0102	SBC Ameritech	Add definitions for "standard business service".	Matrix pgs. 1-2	All terms used in the rules should have definitions.	Agree in part. Standard business service is the same as basic local exchange service. Added definition for "basic local service." Deleted "standard" where "standard business service" is used in relation to deniable and non-deniable charges. Changed "standard business services" to "standard business line services" in PSC 165.0302(2)(a) to differentiate it from "trunk services."
Deposits for business service	165.0403	AT&T	Revise this section so it distinguishes between small businesses (less than 3 lines) and other businesses.	Page 25	The needs of small business are different than large businesses and the rule should reflect that fact.	Disagree. If providers want an exclusion, they can offer a contract. Added a note indicating the if there's an individual contract, the contract controls.
Deposits for business service	165.0403	Charter Communications	Delete this section. This section rewards non-paying business customers who have been disconnected for non-payment.	Page 12	This section rewards non-paying business customers who have been disconnected for non-payment.	Disagree. The provider can request a deposit sufficient to protect its interests and can disconnect service if the deposit is not paid.
Deposits for business service	165.0403	Powercom	Limit application of this subchapter to large telcos.	Page 2	Rigid procedures represent an administrative nightmare.	Disagree. The Commission has reconsidered applicability issues as part of its review of individual rule sections, and changes were made in some sections. However, customers of small telcos are entitled to the same minimum options and protections as customers of large telcos. In addition, nothing in this section requires providers to use deposits. But if they choose to, they must follow the provisions in this section.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Deposits for business service	165.0403	SBC Ameritech	The Commission's proposed separate deposit rules for business customers is redundant and ought to be deleted.	Matrix page 45	SBC/Ameritech proposes to apply residential deposit rules to "basic telephone service" and that would include small business customers. Providers should not be burdened with deposit rules for fully competitive services such as business customers with four or more access lines.	Agree in part. Recombined the two sections into one rule, but retained language regarding the criteria for requiring deposits that currently differentiates the two sections. Also, added a note to clarify that the application of this section is limited to business customers without contracts.
Deposits for business service	165.0403	WSTA	The rule is overly complex in regard to deposits from business customers and should be simplified. Escrow accounts and bonds would be a more effective way of ensuring that telcos are compensated for service provided.	Page 11	Escrow accounts and bonds would be a more effective way of ensuring that telcos are compensated for service provided.	Agree. Revised to include alternatives to cash deposits that include escrow accounts and bonds.
Deposits for business service	165.0403 (1)	Time Warner Telecom of Wisconsin, L.P.	Delete requirement for non-discriminatory policy and revise the rule to permit providers to include in their contracts with customers a description of the deposit requirements that comply with this section or simply refer to this Commission rule in their contracts.	Page 20	The proposed rule's provisions require too many steps, imposing unnecessary costs on CLECs.	Disagree. It is important to have a non-discriminatory policy because individual contracts have the potential to allow discrimination. Will add language which indicates this section is limited to business customers without contracts.
Deposits for business service	165.0403 (10)(b)	WorldCom, Inc.	Revise so that credit, rather than a refund, is allowed if the customer's account is active.	Page 22	Providers should be allowed to credit the account rather than refund the deposit if the account remains open and there is an amount against which to credit the deposit.	Agree. Change made.
Deposits for business service	165.0403 (12)	SBC Ameritech	Add language after comma in second sentence - "if the customer has not received any notices for disconnection within the past 12 months.	Matrix Page 46	A provider should have the right to maintain a guarantee for longer than twelve months in the event a business customers has been served a disconnection notice within the last 12 months.	Disagree. Current language allows the provider to keep a deposit if a business customer has "failed to pay a bill from the provider or made other acceptable payment arrangements by the end of the monthly billing cycle in which the bill is issued." This means the provider isn't required to issue a disconnect notice in order to keep the deposit longer than 12 months.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Deposits for business service	165.0403 (13)	WorldCom, Inc.	The requirement to provide a business customer with an explanation of why the deposit or guarantee is required should be upon customer request rather than automatically.	Page 23	No reason given.	Agree. Change made.
Deposits for business service	165.0403 (2)(b)	Frontier (including Rhinelander)	Should not require deposits on business service to be paid in installments.	Page 6-7	Such a plan seems to defeat the purpose of requesting a deposit in the first place.	Agree. Change made.
Deposits for business service	165.0403 (2)(b)	TDS Metrocom	Delete provision allowing a business to pay the deposit in installments.	Page 38	Allowing deposits to be paid in installments greatly increases the provider's financial risk.  Such a provision is anti-competitive. It is more burdensome and costly for a CLEC to begin providing service to a customer and then later have to disconnect that customer, than it is for the CLEC simply to refuse service to that customer in the first place.	Agree. Change made.
Deposits for business service	165.0403 (2)(b)	WorldCom, Inc.	Revise so that the deposit of a new customer must be paid in full before service is provided.	Page 22	The purpose of a deposit is to protect the provider from unpaid service charges.  Requiring unprotected service will increase provider's costs.	Agree. Change made.
Deposits for business service	165.0403 (3)(a)	TDS Metrocom	Revise to permit a provider to require an existing business customer to furnish or increase a deposit or guarantee as a condition to service it, due to a change in the credit status of the customer, a deposit could have been requested at the time of application upon a similar showing of creditworthiness.	Page 38	No reason given.	Disagree. There is no reason to request a deposit for an existing customer unless a change in the credit status of the customer causes missed payments.

<i><b>Topic</b></i>	<i><b>Old rule section</b></i>	<i><b>Company</b></i>	<i><b>Suggestion/comment</b></i>	<i><b>Location</b></i>	<i><b>Reason for comment</b></i>	<i><b>Response</b></i>
Deposits for business service	165.0403 (3)(b)	AT&T	Delete provision allowing a business to pay the deposit in installments.	Page 24 -25	Providers shouldn't be required to offer payment arrangements on deposits for those applicants with arrearages. The deposit should be paid in full before service is granted.	Agree. Change made.
Deposits for business service	165.0403 (3)(b)	TDS Metrocom	Revise to eliminate the option of a installment payment agreement on the deposit.	Page 38 & Page 32	Such a provision is anti-competitive. It is more burdensome and costly for a CLEC to begin providing service to a customer and then later have to disconnect that customer, than it is for the CLEC simply to refuse service to that customer in the first place.	Agree. Change made. A business customer will have 15 days to pay the deposit, and the provider may restrict service during this time.
Deposits for business service	165.0403 (3)(b)	WorldCom, Inc.	Revise so that the deposit of an existing customer must be paid in full as a condition of continued service.	Page 22	The purpose of a deposit is to protect the provider from unpaid service charges.  The deposit should be paid in full in a short period of time.	Agree. Change made. Customer will have 30 days to pay the deposit but provider may restrict service during this time.
Deposits for residential service	165.0402	Charter Communications	Delete the section on deposits for residential service.	Page 12	This section rewards non-paying residential customers who have been disconnected for non-payment.  A customer should pay for all service used and other customers shouldn't have to subsidize the customer who is unwilling to do so.	Disagree. It is important to standardize provider practices with regard to taking customer deposits. This section allows the provider to request a deposit sufficient to protect its interests, restrict service until the deposit is paid and to disconnect service if the deposit is not paid.
Deposits for residential service	165.0402	Powercom	Limit application of this subchapter to large telcos.	Page 2	Rigid procedures represent an administrative nightmare.  Would impose unreasonable requirements and restrictions that threaten the existence of small to medium-sized telcos.	Disagree. The Commission has reconsidered applicability issues as part of its review of individual rule sections, and changes were made in some sections. However, customers of small telcos are entitled to the same minimum options and protections as customers of large telcos. In addition, nothing in this section requires providers to use deposits. But if they choose to, they must follow the provisions in this section.



<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Deposits for residential service	165.0402	SBC Ameritech	The proposed rules do not adequately address the purpose of a deposit which is to protect against prospective nonpayment. The rules only allow a deposit to be demanded if there is an outstanding balance.	Page 20	The purpose of a deposit under the proposed rules is not to protect against prospective nonpayment, as the rules only allow a deposit to be demanded if there is an outstanding balance.	Disagree. A provider can request a deposit from an existing customer even after the customer is disconnected for nonpayment and the arrearage is paid. The provider can also impose restricted service in order to limit future losses.
Deposits for residential service	165.0402	WorldCom, Inc.	Restore sections deleted from the current rules allowing deposits where the customer 1) is attempting to receive service with intent not to pay 2) will clearly be unable to pay for service rendered at the time payment is due.	Page 21	Providers should be able to require deposits in situations where they can infer fraud or where available information shows the customer will not be able to make timely payments.	Disagree. These items were deleted from the current rule because they were nearly impossible to prove. We have, however, revised the rules so CLECs can obtain an applicant's credit information.
Deposits for residential service	165.0402	WSTA	It appears the commission views requiring deposits as a substitute for requiring identification and credit information.	Page 11	Being able to get the information that establishes identity and credit-worthiness would be far less complicated than the procedures described in these sections.	Disagree. The deposit is based on the customer's past payment history and/or actual arrearages owed to the provider requesting the deposit. Issues involving identification should be addressed in the application process. The "Application for service" section was revised to include additional identification items. Deposits and service restrictions are built-in protections for providers of last resort.
Deposits for residential service	165.0402 (1)	WSTA	The requirement to provide the policy to all customers should be dropped.	Page 11	Most customers will never be asked to provide a deposit.	Agree. Change made so that the policy is available upon request.
Deposits for residential service	165.0402 (11)	SBC Ameritech	The requirement to provide the information to the customer on deposits should be dropped. Since a provider's deposit policy must be written, it is more accurate and efficient to steer the customer to the written policy, rather than provide separate correspondence to customers each time a deposit is required.	Matrix page 45	Since a provider's deposit policy must be written, it is more accurate and efficient to steer the customer to the written policy, rather than provide separate correspondence to customers each time a deposit is required.	Agree. Revised so that the information is provided upon request.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Deposits for residential service	165.0402 (2)	SBC Ameritech	SBC Ameritech does not support a requirement to allow applicants to establish an installment payment agreement for deposits.	Matrix pages 43-44	Imposing such a requirement on deposits is inconsistent with the very purpose and function of a deposit.	Agree. Deleted this requirement.
Deposits for residential service	165.0402 (2)	WorldCom, Inc.	Revise "with a telecommunications provider" to "with any utility" because the National Consumer Telecommunications Utilities Exchange database includes bad utility debt and providers should be allowed to make use of this information.	Page 21	Providers should be allowed to require a deposit from a new residential service customer if the customer has an outstanding account balance within the last 6 years with any utility, not just a telecommunications provider, as long as the balance is not in dispute at the time of the application for new service.	Disagree. The language limiting the debt to amounts owed to a telecommunications provider is consistent with language in the electric and gas rules. Revised the Application for service section allowing CLECs to consider creditworthiness in the application process.
Deposits for residential service	165.0402 (2)(a)	AT&T	Revise so that provider can request a deposit based on customer's creditworthiness.	Page 24	The national Consumer Telecommunications Utilities Exchange database includes bad utility debt and providers should be allowed to make use of this information.	Agree in part. Will not revise this section but have revised the rules so that CLECs may consider creditworthiness in the application process. If a customer's credit is poor, the CLEC has the option to deny service or grant service with service restrictions. If a CLEC chooses to accept a deposit, it must follow the provisions in this section.
Deposits for residential service	165.0402 (2)(a)	TDS Metrocom	Revise to permit a provider to require a cash deposit as a condition of service if an applicant has an outstanding account balance with any telecommunications provider.	Page 35	Shouldn't use an outstanding balance as the only criteria for requiring a deposit. A provider must be able to use credit information from credit bureaus to determine creditworthiness to decide if a deposit is needed.	Disagree. "A" means "any." No revision necessary.
			Otherwise a chronically non-paying customer would be allowed to make the rounds of providers serving an area and, after running up a balance, simply skip out and apply for service with the next provider. A CLEC must be able to take precautions to ensure payment from their customers.			

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Deposits for residential service	165.0402 (2)(a)	Verizon	Add language allowing the telco to require a deposit if the customer "does not have established credit" which means the customer has no history with the telco. See Verizon comments for proposed language changes to this section.	Page 28	These changes are required because an unpaid bill to a telecommunications provider is not the only indicator of risk. The two biggest contributors to uncollectibles are previous bad credit with a provider and no history with a provider.	Disagree. Failure to have established credit with the provider is not sufficient justification to request a deposit.
Deposits for residential service	165.0402 (2)(a)(1)	WSTA	A legitimate debt should not be dismissed after six years.	Page 11	A legitimate debt should not be dismissed after six years.	Agree. The rule doesn't dismiss a debt after six years, but prohibits providers from requiring a deposit if a customer has a debt that is over six years old. Our reasoning is that a customer's current credit cannot be judged on the basis of a six year old debt.
Deposits for residential service	165.0402 (2)(b)	AT&T	Delete provision allowing DPAs on deposits.	Page 24 -25	Providers shouldn't be required to offer a DPA on deposits for those applicants with arrearages. The deposit should be paid in full before service is granted.	Agree. Provision deleted.
Deposits for residential service	165.0402 (2)(b)	Frontier (including Rhineland)	Do not allow a customer to pay a deposit with an installment plan.	Page 6	Allowing a customer to pay a deposit "under an installment payment agreement" defeats the purpose of the deposit. Deposits are requested in order to protect the company (and its ratepayers) from parties that are determined to be credit risks. Allowing such a part to avoid paying a deposit at the outset of service will afford them the opportunity to obtain service and run up a large bill.	Agree. Deleted this provision.
Deposits for residential service	165.0402 (2)(b)	Marquette-Adams Telephone Cooperative	It is illogical to require a payment plan for deposits. Requiring that the telco again extend credit without a guarantee makes no sense.	Page 4	Under the circumstances, requiring that the telco again extend credit without a guarantee makes no sense. A provision that the customer be granted local service only until the deposit is paid seems a reasonable compromise.	Agree. Change made.
Deposits for residential service	165.0402 (2)(b)	SBC Ameritech	Providers should not be forced to amortize deposits via installment payment plans.	Page 19	Installment payment plans are antithetical to the very purpose and concept of a deposit.	Agree. Provision deleted.

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Deposits for residential service	165.0402 (2)(b)	TDS Metrocom	Delete. The deposit should be paid in full before service is granted.	Pages 36-37	It essentially means that a deposit can be equal to only the first installment.	Agree. Change made.
Deposits for residential service	165.0402 (2)(b)	WSTA	Do not allow deposits to be paid in installments.	Page 11	Allowing a deposit to be paid in installments defeats the purpose of the deposit, i.e., to offset accrued debt.	Agree. Change made.
Deposits for residential service	165.0402 (3)(b)	SBC Ameritech	Cannot support a requirement that a provider's customers who have been disconnected for failure to pay an additional 30 days to provide even a down payment on a deposit.	Matrix pages 44-45	Within the 30 day grace period, a customer will accumulate an additional month's worth of recurring and non-recurring charges.	Disagree. The 30-day time period is codified in rules for all other utilities - gas, electric & water. We revised the "Restriction of service" section to allow providers to restrict service until the deposit is paid in order to limit potential uncollectibles.
Deposits for residential service	165.0402 (3)(b)	TDS Metrocom	Revise to reduce the time that an existing residential customer has to provide a deposit from thirty days to ten days.	Page 37	No reason given.	Agree in part. The 30-day time period is codified in rules for all other utilities - gas, electric and water, so did not reduce the time period. We revised the "Restriction of service" section to allow providers to restrict service until the deposit is paid in order to limit potential uncollectibles.
Deposits for residential service	165.0402 (3)(b) & (c)	Verizon	Change time period for providing a deposit from 30 days to 7 days and time period for DC notice for nonpayment of deposit from 10 days to 5 days, or possibly 7 days. See Verizon comments for proposed language changes to this section.	Page 21-22	At-risk customers should not be allowed additional time to pay a deposit since the deposit request is based on the customer's previous bad payment history.  The notice generated to request an additional deposit should have the same amount of time as allowed on a DC notice - currently 5 days - but Verizon could agree to 7 days.	Agree in part. Did not reduce the time period to pay a deposit, but revised language allowing providers to impose restricted service while the deposit is being paid. For purposes of this section, the 30 day payment period begins on the date the customer was advised of the deposit. Providers do not have to wait until the end of the 30-day payment period to issue the disconnect notice. The notice may be issued 10 days prior to the due date of the deposit so that disconnection for non-payment of the deposit may occur without additional delay.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Deposits for residential service	165.0402 (5)	TDS Metrocom	This section should be revised to permit a provider to require a restriction or block of a customer's toll service, or any combination thereof, in place of a deposit.  Any requirement that a provider must accept a restriction or block in place of a deposit would unreasonably and improperly expand the definition of basic local service and deny providers the right to restrict services that are optional.	Page 37	Using "accept" rather than "require" denies providers the right to restrict services that are optional in lieu of a deposit.	Agree. Change made so that the decision to accept a deposit or impose restricted service is at the provider's discretion.
Deposits for residential service	165.0402 (6)(d)	TDS Metrocom	Delete provision allowing one deposit for both services if intraLATA and interLATA toll are furnished by the same provider.	Pages 37-38	Toll service already is competitive and there should be no regulation that essentially makes every carrier a toll carrier of last resort. Instead, providers should be free to offer toll service on terms and conditions, and as part of packages of services, as the provider feels best fits its business model.	Disagree. This section is permissive and allows flexibility so that providers do not have to separately account for the two deposits.
Deposits for residential service	165.0402 (8)(a)	SBC Ameritech	The deposit is inadequate. The deposit is capped such that it may not even cover the full amount of the arrears.	Page 20	The deposit is capped such that it may not even cover the full amount of the arrears.	Disagree. The purpose of the deposit is to prevent future losses, not to cover a customer's arrearage. The arrearage is recovered through a deferred payment agreement. The provider may also impose restricted service during the 30 days when the deposit is being paid.
Directories	165.0306	AT&T	This section should be revised to only apply to ILECs.	Page 22	IXCs have no control over the content of the ILEC's directory and don't maintain the information themselves. Proposed rules need to take account of the nature of the carrier and its operations. IXCs can't comply with the Directories section because they don't have date to create them.	Agree. Clarification added. Only applies to providers who are furnishing local exchange service.

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Directories	165.0306	SBC Ameritech	Don't place restrictions on directory publishers.	Pages 28-29	Directory publishers need to be free of regulatory burdens that could potentially place them at a disadvantage in the marketplace. If consumers use, prefer, and retain those directories that are not subject to regulatory requirements, there will be no public benefit derived from the obligations that are imposed on the directories provided in conjunction with local telephone service.	Disagree. Customers need assurance that the telephone directories published for their use meet minimum standards.
Directories	165.0306	SBC Ameritech	The 2 month implementation schedule for directory changes in inappropriately short.	Pages 28-29		Agree. Change is made to effective date of rules.
Directories	165.0306	SBC Ameritech	Suggest adding to new subsection as follows "providers who use the services of third party entities who are not providers for publication of directories shall make all reasonable efforts to ensure that the requirements of this section are met with respect to directories published on their behalf by such third parties."	Matrix page 54		Agree. Change made to subsection (7) to include this obligation.
Directories	165.0306	WorldCom, Inc.	Add language to clarify that the directory requirement applies only to residential local service providers, and not to competitive business service providers or providers of toll service only.	Page 15	No reason given.	Agree in part. Clarification added. Only applies to providers who are furnishing local exchange service.
Directories	165.0306 (1)	SBC Ameritech	Suggest adding the wording "or directory publisher."	Matrix page 54	To clarify that a directory advertisement may be provided by the directory publisher and not necessarily by the provider. In either case, any reference to directory advertisements should recognize that directory advertisements are not a regulated service in Wisconsin.	Disagree. These rules address local exchange directories. Where the local provider includes advertisement listings, it is under the providers direction.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Directories	165.0306 (1)	TDS Metrocom	Revise to clarify that, if available, a customer may request that a directory be provided in electronic format.	Page 29	Smaller providers may not prepare directories in such a format, and should not be required to do so as long as paper directories continue to be provided.	Agree. Revision made for clarity. Requirement to make electronic version available was not there in original language.
Directories	165.0306 (3)	SBC Ameritech	A requirement that a directory refer to "the provider" is a holdover from legacy regulation in which one provider provided directories to all customers within a given exchange or set of exchanges.	Matrix page 54	Identifying exchanges included in a directory is no longer the most effective method of communicating directory coverage area. Directory users are far more aware of community boundaries than exchange boundaries. The directory publisher should be given the discretion to identify the most effective means by which to communicate information concerning directory coverage to consumers.	Disagree. Provider and exchange identification on directories is still relevant.
Directories	165.0306 (7)	SBC Ameritech	Wants clarification that a provider may elect to meet its directory obligations with a directory that is published by an entity that is neither a provider, nor affiliated with a provider.	Matrix page 30	Each end user's provider is responsible in the first instance for insuring that their directory listings are accurate in the directory. This subsection would have the potential to release the end user's provider from the responsibility of insuring that the listing information provided is accurately submitted.	Agree. Change made.
Directories	165.0306 (7)	TDS Metrocom	Revise to require an ILEC to include in its directory the listing for any customer of a CLEC that is located in the ILECs service territory.	Page 30	To require CLECs to publish their own directories would create unnecessary confusion in the marketplace and would reduce the usefulness of all provider's directories. Basic listings should be included in a single source.	Agree in part. Rule as written did not require that each provider publish a directory. Language revised in subsection (1) to require all local providers to have its listings included in those directories that providers publish.
Directories	165.0306 (8)	SBC Ameritech	This requirement is unworkable.	Matrix page 30	The requirement to keep certain files is outside the reasonable ability of the provider to enforce because they contract with third parties to provide DA service.	Agree in part. Language revised to clarify the responsibilities of providers with regard to directory listing and directory assistance databases.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Disconnect on of service	165.0503	AT&T	The current disconnection rules should remain unchanged.	Page 26 and 27	There is no evidence to suggest that local DC procedures are being abused by providers.  Disconnection is recognized as an incentive for customers to pay bills.	Disagree. The existing rules need to be updated. Revisions address current provider practices, add clarifying language and ensure language is consistent with other Commission rules.
Disconnect on of service	165.0503	Charter Communications	Delete this entire section or leave as is.	Page 12	The detailed requirements of this section will serve to dramatically increase the cost of doing business in the WI market.  Will the added cost of this provision, applied to all customers, really benefit customers?  This is another example of micro-management.	Disagree. It is important to standardize provider practices with regard to disconnection of service. The existing rules need to be updated. They address current provider practices, add clarifying language and ensure language is consistent with other Commission rules.
Disconnect on of service	165.0503	Powercom	Limit application of this subchapter to large telcos.	Page 2	Rigid procedures represent an administrative nightmare.  Would impose unreasonable requirements and restrictions that threaten the existence of small to medium-sized telcos.	Disagree. It is important to standardize the procedure for disconnection of service to all customers, regardless of the type of customer or the size of the provider.
Disconnect on of service	165.0503	TDS Metrocom	The rules related to disconnection and the rules related to denial of service should be treated in separate sections .	Page 12	The standards for these need not and, in fact, should not be the same.	This rule already has these two issues in different sections (165.0501 and 165.0503).
Disconnect on of service	165.0503	WorldCom, Inc.	Competitive business service providers should be allowed to disconnect service to any customer who has failed to pay that provider for any services received in the past.	Page 25	No reason given.	Agree. This section gives all providers the right to disconnect service for nonpayment of a current bill and/or services received in the past with several important exceptions. See s. PSC 165.0503(3).



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Disconnection of service	165.0503 (1)(a)	Marquette-Adams Telephone Cooperative	Don't require that there be 20 days after a bill is issued before an account can be subject to disconnection.		The telco should be allowed to decide when the bill is due. There needs to be some option available to the company, especially when fraud is suspected.	Agree. Change made so the bill is due in 14 days or the due date on the bill instead of 20 days.
					Restricting a telco from disconnecting service for 20 days after the bill is issued will be detrimental to them, as it allows too much service to be provided prior to being able to collect. Requiring all companies to allow unlimited services without the ability to collect will not improve services.	
Disconnection of service	165.0503 (1)(a)	Verizon	Revise from 20 days for payment to 14 or 15 days.	Page 26	This is a sufficient timeframe for customers to make payment after they receive their bill.  97% of Verizon's customer base comply with the 14 day payment period.  20 day timeframe may allow for additional fraud or toll abuse.	Agree. Revised the due date for payment from 20 to 14 days.
Disconnection of service	165.0503 (1)(a)	WSTA	WSTA proposes requiring a "reasonable period" rather than specifying 20 days for the bill to be considered delinquent.	Page 12-13	The combination of not being able to consider a bill delinquent until 20 days after issuance in (1)(a) and not being able to disconnect until 10 days after noticing in (5)(a) will intersect with a new billing cycle.  It's not sufficient reason to disrupt the longstanding procedures of 83 companies to make the procedure comparable with other utility industries.	Agree. Revised the due date for payment from 20 to 14 days.

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Disconnect on of service	165.0503 (1)(b)	AT&T	Delete this provision. The duty to inform a customer of his right to contact the PSC and provide the toll-free number is redundant since the provider is already required to provide a copy of PSC 165.	Page 28	The duty to inform a customer of his right to contact the PSC and provide the toll-free number is redundant since the provider is already required to provide a copy of PSC 165. Also, it is unclear exactly when the provider is required to give this information, i.e., exactly how does the provider know the customer is dissatisfied with the resolution of the disputed issue?	Disagree. It is not unreasonable to expect a provider to refer a customer to the commission when a disputed issue cannot be resolved by the provider. Contact information is required only upon customer request.
Disconnect on of service	165.0503 (2)	SBC Ameritech	Proposes that disconnection should be allowed "if fraudulent or unauthorized use of the service is detected."	Matrix page 51	Its legitimacy is self evident.	Agree in part. Modified change made allowing disconnection only if the fraud or unauthorized use is verified or substantiated.
Disconnect on of service	165.0503 (2)	SBC Ameritech	Providers should not be prohibited from disconnecting service if any one or more of the circumstances are present.	Matrix page 51	Providers may identify more than one possible reason to disconnect a customer's service.	Agree. Although the intent of this section is to allow providers to disconnect service if any one or more of the listed circumstances is present, clarification was added.
Disconnect on of service	165.0503 (2)(a)	AT&T	Delete language referencing "failure to comply with the terms of a deferred payment agreement since AT&T objects to the requirement to offer DPAs to applicants with arrearsages.	Page 28	AT&T objects to the requirement to offer DPAs to applicants with arrearsages.	Agree in part. Did not delete (2)(a). The position that applicants with arrearsages should not be eligible for DPAs has been rejected. It is important to keep customers on the network and to recognize the need by some customers for payment arrangements on an amount owing in order to establish or maintain service. Change made so that CLECs are not required to offer deferred payment agreements, but if a CLEC chooses to offer DPAs, it must comply with PSC 165.0404. The rules also allow providers to impose involuntary service restrictions on customers with DPAs in order to limit additional debt.
Disconnect on of service	165.0503 (2)(b)	AT&T	Delete language referencing "failure to pay or establish a dpa for service received by a previous customer at the premises if the previous customer is still there" since AT&T objects to the requirement to offer DPAs to applicants with arrearsages under any circumstances.	Page 28	AT&T objects to the requirement to offer DPAs to applicants with arrearsages under any circumstances.	Agree in part. The position that customers with arrearsages should not be eligible for DPAs has been rejected. It is important to keep customers on the network and to recognize the need by some customers for payment arrangements on an amount owing in order to maintain service. We have changed the rules so that the section on deferred payment agreements does not apply to CLECs. However, if a CLEC chooses to offer DPAs, it must comply with this section. The rules also allow providers to impose involuntary service restrictions on customers with DPAs in order to limit additional debt.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Disconnect on of service	165.0503 (2)(b)	TDS Metrocom	Revise to permit a provider to disconnect service for failure to pay for service received, without having to give the customer the option of establishing a DPA.	Page 43	If a customer is not paying for services, a provider should be permitted to take prudent measures to mitigate the risk of non-payment.	Agree in part. The position that customers with arrearages should not be eligible for DPAs has been rejected. It is important to keep customers on the network and to recognize the need by some customers for payment arrangements on an amount owing in order to maintain service. We have changed the rules so that the section on deferred payment agreements does not apply to CLECs. However, if a CLEC chooses to offer DPAs, it must comply with this section. The rules also allow providers to impose involuntary service restrictions on customers with DPAs in order to limit additional debt.
Disconnect on of service	165.0503 (2)(c)	AT&T	Delete language referencing "failure to comply with deposit or guarantee arrangements" since AT&T objects to customers being able to pay deposits in installments.	Page 28	AT&T objects to customers being able to pay deposits in installments.	Agree in part. Did not delete this provision but revised the Deposit rules so providers are not obligated to offer a deferred payment agreement on a deposit.
Disconnect on of service	165.0503 (2)(g)	WorldCom, Inc.	Add "or a deposit required," after the second mention of "refused."	page 26	This modification permits disconnection where the customer could not have obtained service without first paying a deposit.	Disagree. It is the provider's obligation to check its records in order to determine if a deposit is required at the time of application. Failure to do so at that time should not be a reason to disconnect the customer at a later date.
Disconnect on of service	165.0503 (3)(a)	AT&T	The last sentence is ambiguous. What form of action or inaction fall within the scope of "where the passage of additional time results from other provisions herein or arrangements made with the customer"?	Page 28		Agree. Revised for clarity.
Disconnect on of service	165.0503 (3)(a)	AT&T	If a DPA is mandated under 165.0404 on an arrearage, the arrearage should be paid along with current charges and a default in payment of either amount should be grounds for DC.	Page 28		Agree. This is current language in the revised version of the rule.

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Disconnection of service	165.0503 (3)(a)	AT&T	Revise so that good faith efforts to resolve a dispute are included in "collection efforts."	Page 28	The term "collection efforts" in the first sentence is not defined.  Does being engaged in "good faith efforts" to resolve a dispute count as collection efforts? Are allowances in the 6 month time period if amounts are written off? See comment in record #368.	Agree. Change made.
Disconnection of service	165.0503 (3)(a)	AT&T	Delete. If there is no dispute pending regarding the amount and no collection effort within 6 months, what is the rational for this prohibition?	Page 28		Disagree. If the provider didn't attempt collection for six months, disconnection is not the appropriate first step to deal with the delinquent account. It is not unreasonable for the provider to issue a bill for the arrearage before issuing a notice of disconnection.
Disconnection of service	165.0503 (3)(a)	Verizon	Delete section prohibiting disconnection of current service if the telco hasn't made collection efforts on a previous arrearage within the past 6 months.	Page 28		Disagree. This is current language. In addition, disconnection of a disputed amount is prohibited, and the provider can't know if the amount is in dispute without providing notice of the arrearage to the customer. Prohibiting disconnection of service in this situation does not mean the customer is not responsible for the debt. However, disconnection of the customer's current service is not an appropriate first step in dealing with the delinquent account if the provider hasn't taken collection action on the debt within the past 6 months. As soon as the customer receives written notice of the debt, that would be considered a collection effort and the customer would then be subject to disconnect for the arrearage.
Disconnection of service	165.0503 (3)(a)	WST&A	Please clarify the statement "this period shall be extended where the passage of additional time results from other provisions herein or arrangements made with the customer."	Page 13	This is unclear.	Agree in part. This was intended to cover situations where the 6 months expires through no fault of the provider. Revised for clarity.
Disconnection of service	165.0503 (3)(c)	AT&T	Delete the prohibition against disconnection for failure to pay the account of another customer as guarantor.	Page 28	The threat of DC is needed to provide guarantors with an incentive to honor their commitment. This rule leaves providers with little reason to use account guarantors because guarantors can breach their commitment with impunity.	Disagree. This is existing language. There are other remedies available to address the guarantor's failure to honor the guarantee.

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Disconnect on of service	165.0503 (3)(f)	Chilardun Telephone and CTC Telcom	Revise. Companies should be allowed to disconnect service for outstanding charges from ECC calls which is part of local service.	Page 4	Companies should be allowed to disconnect service for outstanding charges from ECC calls.	Agree. Change made.
Disconnect on of service	165.0503 (3)(f)	Northeast Telephone Company	Providers should be able to disconnect for nonpayment of ECC charges which are local charges.	Page 7	The rule changes the definition of ECC. A telco wouldn't be able to disconnect for nonpayment of ECC charges.	Agree. Change made.
Disconnect on of service	165.0503 (3)(f)	Verizon	Delete. ECC is statutorily defined as basic local exchange service and should be a deniable charge.	Page 26	Companies should be allowed to disconnect service for outstanding charges from ECC calls since it's a local charge.	Agree. Provision deleted.
Disconnect on of service	165.0503 (3)(f)	WSTA	Delete "failure to pay delinquent extended community calling (ECC) charges" since ECC is a local service.	Page 13	Delinquent community calling charges should be treated like other delinquent local service charges.	Agree. Provision deleted.

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Disconnection of service	165.0503 (3)(g)	AT&T	Delete prohibition of local DC for nonpayment of toll.	Page 26-27	<p>This will most definitely increase the risks of fraud and nonpayment. The regulatory environment should not unnecessarily increase, or unintentionally promote, these risks.</p> <p>There is no incentive for a customer to satisfy debts when basic local service is left intact and protected.</p>	<p>Disagree. The current arrangement between IXCs and LECs is unprecedented in the business world. No other business has the ability to disconnect one service for non-payment of another company's bill. Providers have other means at their disposal to collect unpaid bills and may bill separately in the first place. We have added a provision to the rule that allows disconnection of local service for nonpayment of toll if the LEC is also the provider of toll service.</p>
					<p>This prohibition will increase unpaid debt for toll. The increased costs of collection and uncollectible losses will ultimately be borne by consumers who do pay. The cost of nonpayment should be allocated to the cost causer in the form of DC, rather than shared by good-paying customers.</p>	
					<p>If providers are forced to continue to furnish a customer with only a portion of services they provide while there is nonpayment for other services, providers will be reluctant to develop offerings (bundled services) designed to meet consumer needs and desires.</p>	
					<p>FCC rules already protect consumers from loss of local service in certain circumstances. If this rule is intended to protect low-income customers, there are already federal protections in place for low-income Lifeline subscribers under the FCC's Lifeline Order. There are also federal protections in place that prohibit DC of local service for nonpayment of disputed 900 number charges.</p>	
					<p>If customers do not have to be concerned about losing local service for nonpayment of long distance charges, they will "carrier hop" from one carrier to another to avoid payment. There is no</p>	

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Disconnect on of service	165.0503 (3)(g)	AT&T	If this section is not changed, revise so that global toll block can be placed on the customer's service.	Page 27 - 28	incentive for customers to satisfy debts when basic local service is left intact and protected.  AT&T supports a global toll block rather than a selective IXC block when a customer fails to pay toll services. A selective toll-block is not a sufficient protection of IXC non- payment. In today's environment, there are no systems in place that allow a LEC to notify an IXC that a block is in place in a timely manner. This allows additional toll to accrue until the IXC can block the customer on its own.	Disagree. Needs no revision. Current language on restriction of service allows for a "global toll block."
Disconnect on of service	165.0503 (3)(g)	Verizon	Objects to provision prohibiting disconnection of local service for nonpayment of toll.	Page 27	Customers should not be allowed to avoid payment of services they ordered and received.  The commission should not create incentives for customers to avoid payment of their obligations.	Disagree. The current arrangement between IXCs and LECs is unprecedented in the business world - no other business has the ability to disconnect one service for non-payment of another company's bill. Providers have other means at their disposal to collect the unpaid bill, or may choose to bill separately in the first place. We have added a provision to the rules that allows disconnection of local service for nonpayment of toll if the LEC is also the provider of toll service.
Disconnect on of service	165.0503 (3)(i)1.	AT&T	Delete the provision requiring written notice of a customer bill from a prior account.	Page 29	If a provider discovers amounts owing from a previous account, it shouldn't be forced to go through the notice process again.  This rule fails to strike a fair balance between customer and provider rights.	Disagree. Customers are entitled to written notice of a bill from a prior account that may be several years old. In addition, customers are entitled to sufficient time to dispute or make payment arrangements on a bill from a prior account. However, we have decreased the time period for payment from 20 to 14 days and have changed the requirement to provide bill detail only when requested by the customer.
Disconnect on of service	165.0503 (3)(i)1.	Verizon	Revise to allow disconnection for nonpayment of a bill from a prior account in the customer's name if the provider verbally notifies the customer of the delinquent bill.	Page 27	Prior amounts were already billed which should satisfy the written requirement.	Disagree. Customers are entitled to written notice of a bill from a prior account that may be several years old. In addition, customers are entitled to sufficient time to dispute, or make payment arrangements on a bill from a prior account.

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Disconnect on of service	165.0503 (3)(i)1.	Verizon	Delete requirement to provide a separate bill showing the name, address, telephone number and the amount owed for an arrearage in order to DC current service for that arrearage.	Page 27	Rules shouldn't require telco to provide a separate bill showing the name, address, telephone number and the amount owed for an arrearage in order to DC current service for that arrearage.	Agree in part. Retained requirement for written bill but revised so that detail regarding the prior bill is required only if the customer requests it.
Disconnect on of service	165.0503 (3)(i)1.	WSTA	Do not require that this information be provided.	Page 13	Providing this information will necessitate reconstructing a bill. Telcos will furnish such information at a customer's request, but automatically providing the information should not be a condition of payment nor reason to prohibit disconnection.	Agree in part. Revised so that detail regarding the prior bill is required only if the customer requests it.
Disconnect on of service	165.0503 (3)(i)2.	AT&T	Delete requirement allowing the customer 20 days to dispute, make payment arrangements on or pay an old bill.	Page 29	Customers ignoring initial notices should not be provided with an additional 20 days to raise a dispute.	Agree. Change made so the time period allowed to dispute, make payment arrangements or to pay the bill is 14 days.
Disconnect on of service	165.0503 (3)h	WSTA	An error was made in the official version. The subsection should be numbered PSC 165.0503(3)(h) instead of 165.0503(4)(h).	Page 14	The numbering of this subsection conflicts with the instructions regarding renumbering	Agree. Corrected numbering.
Disconnect on of service	165.0503 (4)	AT&T	Add a provision requiring the customer to contact the provider within 10 days of DC to restore service in a medical emergency.	Page 29	This allows the provider to reconnect the original account rather than establish a new one.	Agree. The PSC has no authority to regulate customers. However, we added language allowing providers to require a 10 day limit in which the customer must contact the provider to restore service due to a medical emergency.
Disconnect on of service	165.0503 (4)	WSTA	The section on medical or protective service emergencies is not needed.	Page 13	Companies have been accommodating customers with medical or protective service emergency needs. Per changes regarding deferred payment agreements, this section will formalize and formalize arrangements between telcos and their customers and incur costs for revising procedures and retraining staff.	Disagree. It is important to standardize the procedure to address medical or protective service emergencies. Also, the addition of medical and protective service emergency language in these rules mirrors language codified in the rules regulating electric, gas and water service.



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Disconnect on of service	165.0503 (4)(c)	SBC Ameritech	Suggest clarifying that this provision is only for residential customers.	Matrix page 51	To prevent business customers from using the provision when either the business owner or employees are ill.	Disagree. PSC 165.0503(4)(a) already specifies that this section applies to "a residential premises."
Disconnect on of service	165.0503 (5)	SBC Ameritech	Allow a provider to send the disconnection notice electronically with the consent of the customer.	Matrix page 51	Many customers are requesting to receive information electronically.	Agree. Change made.
Disconnect on of service	165.0503 (5)(a)	AT&T	There is no need to increase the number of days prior to DC from 5 to 10.	Page 29	Extending the time period would contribute to debt and increase the opportunity for fraud.	Disagree. Depending on U.S. Postal Service mailing schedules and the day providers actually mail dated notices, the ten-day time period is necessary. Current water and electric rules require 10 days between the time a customer is noticed and disconnection can take place.
Disconnect on of service	165.0503 (5)(a)	AT&T	The disconnection period should be increased from 20 days to 30 days.	Page 29	No reason given.	Disagree. The 20 day time period is sufficient time to accomplish disconnection and is consistent with the time period in the current water and electric rules. If it appears at any time within the 20 day period that disconnection cannot be accomplished, a provider can send an additional disconnection notice.
Disconnect on of service	165.0503 (5)(a)	Marquette- Adams Telephone Cooperative	Ten days between the time a customer is noticed and disconnection can take place is too long, especially after allowing 20 days for payment of the bill.	Page 5	Since the notice cannot be sent for 20 days after the bill is issued, an additional 10 days for the telco to wait to disconnect is too long.	Agree in part. Did not revise the 10 day notice for disconnection. Depending on U.S. Postal Service mailing schedules and the day providers actually mail dated notices, the ten-day time period is necessary. Current water and electric rules require 10 days between the time a customer is noticed and disconnection can take place. We have, however, shortened the payment period from 20 to 14 days.
Disconnect on of service	165.0503 (5)(a)	SBC Ameritech	Extend the number of days before another disconnection notice must be sent from 20 to 30.	Matrix, page 51	To allow for customers to cover a bad check.	Disagree. The 20 day time period is sufficient time to accomplish disconnection and is consistent with the time period in the current water and electric rules. If it appears at any time within the 20 day period that disconnection cannot be accomplished, a provider can send an additional disconnection notice.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Disconnect on of service	165.0503 (5)(a)	Verizon	Decrease the time between the date of the DC notice and the date of the proposed DC from 10 to 7 days. Increase the time a DC notice is valid from 20 to 30 days.	Page 28	Current 5 day period prior to DC is sufficient. If any extension is deemed necessary, a 7 day time period is manageable.	Disagree. Will not revise the 10 day notice for disconnection. Depending on U.S. Postal Service mailing schedules and the day providers actually mail dated notices, the ten-day time period is necessary. This time period is also consistent with current water and electric rules which require 10 days between the time a customer is noticed and disconnection can take place. With regard to the time period for disconnection, the 20 day time period is sufficient time to accomplish disconnection and is consistent with the time period in the current water and electric rules. If it appears at any time within the 20 day period that disconnection cannot be accomplished, a provider can send an additional disconnection notice which effectively extends the time period for disconnection.
Disconnect on of service	165.0503 (5)(a)	Wisconsin State Telecommunications Association	Provider should be able to send out the second disconnection on the Friday before the 20th day if the 20th day for disconnection falls on a Saturday or Sunday.	Page 40-41	Increasing the DC timeframe to 30 days would require fewer DC notices to be mailed.	There is nothing in this rule that would prevent providers from issuing another disconnect notice ANY TIME within the 20 day period, thereby extending the period of disconnection.
Disconnect on of service	165.0503 (5)(a)	WorldCom, Inc.	The time period during which a provider must accomplish a disconnection (before needing to send a new notice) should be lengthened to 30 days after issuance of the notice.	page 26	No reason given.	Disagree. The 20 day time period is sufficient to accomplish disconnection and is consistent with the time period in the current water and electric rules. If it appears at any time within the 20 day period that disconnection cannot be accomplished, a provider can send an additional disconnection notice.
Disconnect on of service	165.0503 (5)(a)	WSTA	Waiting periods should be shortened to keep the process within one billing cycle. The current process has seemed to serve well.	Page 14	The requirement for providing the disconnection notice 10 days in advance of the proposed disconnection coupled with the requirement that a bill is not considered delinquent until 20 days after issuance, prevents disconnection from being accomplished within a 30 day billing cycle. This would cause customer confusion and administrative difficulties in dealing with delinquencies.	Agree in part. Will not revise the 10 day notice for disconnection. The current 5 day time period for DC notices was extended to 10 days because consumers complained of insufficient notice due to mailing and delivery delays on the part of providers and the U.S. Postal Service. Revised the due date for payment from 20 to 14 days.

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Disconnect on of service	165.0503 (5)(b)	Verizon	Delete requirement for personal contact prior to DC.	Page 29	This degree of regulatory micro-management is not warranted.	Disagree. The requirement to make a reasonable effort to have a personal or telephone contact with the customer prior to disconnection is in the current rules. In addition, this requirement is in the rules regulating electric, gas and water service. Since disconnection is such a drastic action, it is reasonable to make an effort for personal contact.
Disconnect on of service	165.0503 (5)(c)	TDS Metromcom	Eliminate language requiring the disconnection notice to be in a format acceptable to the Commission.	Page 44	Requiring the disconnection notice to be in a format acceptable to the Commission implies some kind of approval process.	Disagree. This wording allows for informal review by Commission staff.
Disconnect on of service	165.0503 (5)(d)4.a.	WSTA	Was the intent to state "notice of delinquent amount" rather than "notice of delinquent account"?	Page 13		Disagree. This language is consistent with other language throughout the rule.
Disconnect on of service	165.0503 (6)	AT&T	Delete the provision restricting disconnection of service to those days when someone is available to negotiate a dpa and can RC service.	Page 29	Unduly restricts provider operations. The DC notice allows ample time for the customer to contact the provider.	Disagree. The requirement to have personnel who are available to resolve disputes, make DPAs and restore service is in the current rule. In addition, this requirement is codified in the rules regulating electric, gas and water service. Further, it is illogical to require providers to consider disputes and offer DPAs to customers subject to disconnection if a requirement to have staff available to do so is not included in the rules.
Disconnect on of service	165.0503 (6)	SBC Ameritech	Propose deleting the word "readily".	Matrix page 51	It is too subjective.	Agree. Change made.
Dispute procedures	165.0303 (1)	AT&T	Delete reference to "or any matter related to the customer's telecommunications service" and revise to encompass only matters relating to billing, disconnection or refusal of service.	Page 17 - 18	This language may allow the customer to pursue claims challenging compliance with legal requirements arising under various rules, such as ATP 123, over which the PSC has no jurisdiction.	Disagree. The customer should have the right to dispute any aspect of their telecommunication service. The PSC will not be addressing issues of dispute where it does not have the appropriate authority.
Dispute procedures	165.0303 (1)	AT&T	Delete. The cost (to PSC and providers) associated with this outweighs the purported benefit.	Pgs. 10-11	Broad definition of dispute is inappropriate. The cost (to PSC and providers) associated with this outweighs the purported benefit.	Disagree. The current rules require utilities to investigate disputes made directly to it by its customers. There is no indication that the current rule is cost prohibitive.

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Dispute procedures	165.0303 (1)	TDS Metrocom	This provision should be limited to only situations where a customer notifies a provider that the customer disputes all or any part of any billing, any matter related to disconnection or refusal of telecommunications service, or any other matter related to the customer's telecommunications services. The procedure set forth should not apply to mere "inquiries."	Page 25	Including "inquiries" would be too onerous.  Since providers must defer disconnection during a dispute, such an overbroad definition of dispute would make it nearly impossible to promptly and efficiently disconnect service, despite nonpayment for the service.	Disagree. Resolving inquiries should only be onerous if the provider cannot answer the question. Language revised to indicate the inquiry must indicate dissatisfaction or disagreement with an aspect of the customer's telecommunications service.
Dispute procedures	165.0303 (1)(b)	SBC Ameritech	The term "regularly" is ambiguous, subjective and unnecessary.	Matrix page 23	Due to the relatively short time a provider has to conduct an investigation.	Disagree. The term "regularly" is relative, tempered by the time period needed to resolve the issue.
Dispute procedures	165.0303 (1)(e)	AT&T	Revise by adding "in appropriate circumstances" at the beginning of subparagraph (e).	Page 18	AT&T disagrees with the concept of being required to offer DPAs other than those typically used for customers in order to satisfy this rule.	Agree. Language clarified.
Dispute procedures	165.0303 (1)(e)	SBC Ameritech	The term "reasonable payment arrangements" is ambiguous, subjective, and unnecessary.	Matrix page 23	Given the requirement that deferred payment procedures are the vehicles for payment arrangements, which are to be approved by Commission staff.	Disagree. This language was included to give providers the flexibility to use any informal arrangements they may choose.
Dispute procedures	165.0303 (2)	WSTA	Telcos should not be held responsible for actions of collection agencies or third parties.	Page 8	The choice to involve a collection agency or third party was the customer's choice.	Disagree. This section of the rule does not require providers to be responsible for actions of collection agencies or third parties, but does make them ultimately responsible for disputes regarding the provision of telecommunications service, if they have delegated that responsibility to a collection agency or a third party and the collection agency or third party has not successfully resolved the dispute.

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Dispute procedures	165.0303 (3)	AT&T	This section should be eliminated or redrafted to acknowledge the customer's responsibilities with respect to vendors, credit card and third parties it uses in connection with payments for telecommunications services.	Page 18	In placing the responsibility solely upon the provider, this rule ignores the customer's responsibility for using these third parties in the first place..	Disagree. The only responsibility to providers is to investigate and attempt to resolve the issue. If the fault is then determined to be with the vendor, credit card company, or other third party, the provider then only has to refer the complainant to that entity.
Dispute procedures	165.0303 (3)	SBC Ameritech	Providers must not be made responsible for resolving payment by third parties outside of providers' authorized payment options.	Matrix pages 23-24	Providers do not control on-line banking and credit cards. Moreover, a telecommunications provider does not have the legal right to inquire into a customer's transactions via personal bank accounts or personal credit card activity.	Disagree. The only responsibility to providers is to investigate and attempt to resolve the issue. If the fault is then determined to be with the vendor, credit card company, or other third party, the provider then only has to refer the complainant to that entity.
Dispute procedures	165.0303 (3)	Verizon	Rule language should include the word "authorized" in describing vendors and third parties that accept payments on behalf of Verizon. (See specific comment for exact revision)	Page 9	Verizon should not be held responsible for resolving disputes when Verizon has not authorized or has no knowledge of such payments.	Disagree. The only responsibility to providers is to investigate and attempt to resolve the issue. If the fault is then determined to be with the vendor, credit card company, or other third party, the provider then only has to refer the complainant to that entity.
Dispute procedures	165.0303 (4)(a)	AT&T	Delete. The duty to inform a customer of his right to request PSC review is redundant since the provider is already required to provide a copy of PSC 165. Also, it is unclear exactly when the provider is required to give this information.	Page 18	The duty to inform a customer of his right to request PSC review is redundant since the provider is already required to provide a copy of PSC 165. Also, it is unclear exactly when the provider is required to give this information.	Disagree. Rule revised to eliminate the requirement to provide PSC 165 to customers. The proposed rule is clear that information regarding the availability of assistance from the PSC is only to be provided to the customer if the utility has been unsuccessful in resolving the issue to the customer if the utility has been unsuccessful in resolving the issue to the customer's satisfaction.
Dispute procedures	165.0303 (4)(a)	Charter Communications	Delete. Requiring the telco to direct the dissatisfied customer to the PSC and provide the PSC's toll free number creates a complicated process.	Page 8	Requiring the telco to direct the dissatisfied customer to the PSC and provide the PSC's toll free number creates a complicated process for a simple issue and ignores the process providers use to solve customer inquiries at first contact.	Disagree. The proposed rule is clear that information regarding the availability of assistance from the PSC is only to be provided to the customer if the utility has been unsuccessful in resolving the issue to the customer's satisfaction. However, language was revised so that a provider is obligated to provide commission contact information only upon request.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Dispute procedures	165.0303 (4)(a)	SBC Ameritech	The provider should not be required to suggest that the customer call the commission at every customer expression of dissatisfaction.	Matrix Page 24	This will backfire on providers-who will be called unhelpful-and the Commission-which will have to take a flood of calls on issues that could have been resolved relatively easily through the customer satisfaction processes.	Disagree. The proposed rule is clear that information regarding the availability of assistance from the PSC is only to be provided to the customer if the utility has been unsuccessful in resolving the issue to the customer's satisfaction.
Dispute procedures	165.0303 (4)(a)	Verizon	Revise by striking all but the last 6 words. Add language to remaining words to read, "The provider shall furnish the commission's toll-free number to the customer if it is requested."	Page 9-10	The draft rule fails to distinguish between complaints that are material and made in good faith and those that are not.  The proposed language will ensure that every rejected complaint will be forwarded to the commission for further review, regardless of merit.	Agree in part. The merit and materiality of a complaint is not at issue. The customer has the right to complain, and has the right to take that complaint to the PSC for a determination if not resolved to their satisfaction by the provider. However, language was revised so that a provider is obligated to provide commission contact information only upon request.
Dispute procedures	165.0303 (4)(a)	WSTA	WSTA requests deleting "the provider shall inform." Also, substitute "the customer has the right" with "the customer of the right." The sentence would then read "if the provider has not.....the customer has the right to."	Page 8	Being required to provide the commission's toll-free number will be viewed by consumers as an automatic "next step." The commission will be inundated with meritless complaints, unnecessarily wasting the time of the commission and the provider.	Disagree. This wording change would, as suggested, allow the customer the right to this information, but the customer would not be able to exercise that right without having knowledge of the information available to them.
Dispute procedures	165.0303 (4)(b)	Charter Communications	Restate to "by making reasonable attempts to contact the complainant within 48 hours."	Page 8	The PSC has developed a complicated process for a relatively simple issue.  This rule ignores the continual and efficient process providers use to solve customer inquiries at first contact.	Agree. Change made to indicate that a provider shall contact a complainant within 48 hours, or 4 hours in the case of an emergency, when necessary to resolve the complaint or when requested to do so by Commission staff.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Dispute procedures	165.0303 (4)(b)	Qwest	48 hour response time may be necessary for local service providers, but is not necessary for interexchange service providers. Change to 12 business days for non-local telecommunications services.	pg. 6-7		Disagree. These rules will not apply to interexchange service.
Dispute procedures	165.0303 (4)(b)	SBC Ameritech	It is not feasible to provide a listing of all employees who may be involved in investigating and resolving a complaint.	Matrix page 24	<p>The requirement implies that providers will have to hire and maintain personnel wholly dedicated to the resolution of Commission complaints in Wisconsin. This would be an unjustified cost burden.</p> <p>Many providers rely on third parties for functions such as billing which at sometimes would need to be involved in resolving complaints.</p> <p>Because of the complexity of billing services, and the products and services often involved, several departments or different facets of the provider" operations may be involved in addressing and resolving any given complaint.</p> <p>Such regulatory micromanagement creates inefficiencies and stifles innovation.</p>	Disagree. The rule language is not meant to imply that the provider furnish a list of all employees involved in investigating and resolving consumer complaints, but it is intended to ensure that the provider supply the PSC with the name(s) of the individuals with primary responsibility for complaint resolution and contact with the Commission.
Dispute procedures	165.0303 (4)(b)	SBC Ameritech	Revise the proposed timeframes. Timeframes are burdensome.	Matrix pages 25-26	The timeframes proposed by the Commission for contacting customers and providing a response to the commission are burdensome.	Agree in part. Time frames remain but change made regarding circumstances of contact. A provider shall contact a complainant within 48 hours, or 4 hours in the case of an emergency, when necessary to resolve the complaint or when requested to do so by Commission staff.
Dispute procedures	165.0303 (4)(b)	TDS Metrocom	Revise to clarify that a provider shall respond to Commission staffs request for an investigation by attempting to contact the complainant.	Page 25	Requiring the provider to actually make the contact within a certain period of time may be impossible and could be overly burdensome.	Agree in part. The proposed rule language will be changed to indicate that a provider shall contact a complainant within 48 hours, or 4 hours in the case of an emergency, when necessary to resolve the complaint or if requested to do so by Commission staff.

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Dispute procedures	165.0303 (4)(b)	WorldCom, Inc.	Change ...from within 48 hours "for most circumstances" to "when necessary to resolve the complaint".	Page 12	It is not always necessary to contact a customer in order to resolve a complaint.	Agree. The proposed rule language will be changed to indicate that a provider shall contact a complainant within 48 hours, or 4 hours in the case of an emergency, when necessary to resolve the complaint or if requested to do so by Commission staff.
Dispute procedures	165.0303 (4)(b)	WorldCom, Inc.	Increase response time for complaints from 10 to 20 days.	Page 12	Ten business days is not an adequate period of time to complete an investigation and respond to a complaint.  CLECs often have to rely on an ILEC to obtain information essential to researching, diagnosing and resolving local complaints and, therefore, need more time to respond.	Disagree. The timeframe specified in the rules is the same as that specified in Chapters PSC 113 and PSC 185, i.e., the electric and water rules. Experience with complaint responses from utilities in those industries indicate that this timeframe is not burdensome.  If necessary, a provider can request and be granted an extension of the ten day time period from Commission staff.
Dispute procedures	165.0303 (4)(c)	AT&T	Revise along with 165.0303(1) so that staff determinations are only made on matters relating to billing, disconnection or refusal of service and not "any other matter related to the customer's telecommunications service."	Page 18	The phrase in 165.0303(1) could encompass complex legal claims and the rights of the parties in such claims should not be resolved by means of "staff determinations."  Staff determinations should be limited to matters relating to billing, disconnection or refusal of service.	Disagree. This reflects current practice. In matters resolving legal issues, staff obtains legal expertise that may be needed to arrive at their determinations.  Staff refers particularly complex legal issues directly to the Commission to begin a formal investigation.
Dispute procedures	165.0303 (4)(c)	Charter Communications	The PSC should be required to issue all complaint findings in writing in all cases.	Page 8	This process ensures that the determination is conveyed to all interested parties accurately.	Disagree. The proposed rule allows either party to the dispute to request and receive the commission staff determination and justification in writing.
Dispute procedures	165.0303 (4)(c)	SBC Ameritech	Timeframe for Commission review and determination is not stated. Revise to include a timeframe of 5 days of receipt of provider's response to make a determination.	Matrix page 26	To keep the dispute resolution process efficient.	Disagree. Staff's determination is not based solely on the provider's response. Often much research has to be done, including follow-up with the complainant, consultation with technical and/or legal staff, etc.



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Dispute procedures	165.0303 (4)(p)2	TDS Metrocom	Revise to clarify that if the Commission staff does not render its determination under this provision within five (5) business days of the date a response is provided by the provider, the provider may give notice to the customer that they will disconnect services unless the customer files a notice for review by the Commission under PSC 165.0503(5)(a).	Pages 25-26	The addition will ensure that the provider need not continue to provide service to a customer, for which services it may not be receiving payment, while awaiting an overdue Commission staff determination.	Disagree. The rules require a complainant to pay all charges that are not in dispute or they are subject to disconnection even while a complaint is still open at the PSC.
Dispute procedures	165.0303 (5)(a)	AT&T	The time frame for appeals should be shortened.	Page 19	The appeal process allows customers to raise groundless disputes and avoid disconnection for months.	Agree. Change made to require Commission staff to notify both parties of the determination. Also, increased the time before a provider can disconnect service from 5 to 6 days to allow customer sufficient time to file an appeal involving disconnection without being interrupted. If the appeal involves disconnection, the provider will be responsible to ensure service is not disconnected.
Dispute procedures	165.0303 (5)(a)	AT&T	Revise so that notification of the disposition of the staff determination is communicated to the provider so it knows when the customer's service can be DC and the deadline for filing an appeal.	Page 19	There is no provision for communicating receipt of an appeal to the provider. The provider could inadvertently DC service if it didn't know about the customer's appeal.	Agree. Change made to require Commission staff to notify both parties of the determination. Also increased the time before a provider can disconnect service from 5 to 6 days to allow customer sufficient time to file an appeal involving disconnection without being interrupted. If the appeal involves disconnection, the provider will be responsible to ensure service is not disconnected.
Dispute procedures	165.0303 (5)(a)	AT&T	Add a provision requiring the party requesting the appeal to mail a copy of the written request to the other party.	Page 19	In its present form, the rule makes no provision for notification to the non-requesting party.	Agree in part. Will revise so that Commission staff is required to notify the other party of the appeal, but will not require staff to mail a copy of the written appeal request.
Dispute procedures	165.0303 (5)(b)	AT&T	Change rule to allow evidentiary submissions when the dispute comes before the Commission for review.	Page 19	If the Commission is going to render a binding adjudication of the dispute, due process requires that the Commission allow for evidentiary submissions when the dispute comes before it for review.	Agree in part. Change made allowing commission staff to grant an unspecified extension of the 10 day response deadline.

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Dispute procedures	165.0303 (5)(b)	AT&T	If the scope of "dispute" is not narrowed, then the number of days to file a response to the commission staff's memorandum should be changed from 10 to 45.	Page 19	The 10-day time frame is inappropriate for the preparation of responses to complex disputes.	Agree in part. Change made allowing commission staff to grant an unspecified extension of the 10 day response deadline.
Dispute procedures	165.0303 (5)(b)	SBC Ameritech	Suggest a timeframe of 10 days for Commission staff to prepare the memo to the Commission.	Matrix page 26	To keep the dispute resolution process efficient and to ensure closure within a reasonable period of time, a time limit is suggested for issuance of a Commission staff determination.	Disagree. The length of time the Commission staff has to prepare the memo is already limited by the time the Commission is allowed to make a determination and the fact that providers are allowed to have 10 days to respond to the memo.
Dispute procedures	165.0303 (5)(b)	WorldCom, Inc.	Define or clarify what is meant by "shall be issued." If US mail is used to receive the memorandum, 10 days is an insufficient time to reply.	Page 13		Agree. Will add a requirement for Commission staff to notify the other party when an appeal is filed. Also, will add language allowing a provider to request an extension to the 10 day time period.
Dispute procedures	165.0303 (5)(b)	WorldCom, Inc.	The period referenced in this section should reference business days.		For consistency. The time periods in (4)(b) and (5)(a) are measured in business days.	Disagree. If the time period for response is changed, a corresponding change would also be made to the time period for the Commission determination. We believe the latter change would create an unreasonable period before disconnection could be accomplished.
Dispute procedures	165.0303 (5)(b)	WSTA	WSTA asks that the word "calendar" be reinstated.	Page 8	For clarification purposes.	Agree. Added a definition for "day" which means calendar days unless otherwise specified.
Dispute procedures	165.0303 (7)(a)	AT&T	Modify section so that the request for Commission review does not suspend the provider's right to DC unless and until the customer requests and obtains a determination by the Commission that there is a well-founded factual and/or legal basis for the customer's dispute which justifies the suspension of the provider's right to DC, pending review by the Commission.	Page 19	Customers can use appeal process to delay DC.	Disagree. The rules require a complainant to pay all charges that are not in dispute or they are subject to disconnection even while a complaint is still open at the PSC. Further, for disputes involving disconnections, unless it opens a formal investigation the commission must act within 45 days of when a request for review is filed.

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Dispute procedures	165.0303 (7)(a) & (b)	TDS Metrocom	These sections should be limited to the disconnection of service, not the refusal of service.	Page 26	CLECS must be free to refuse service to customers who are not likely to pay their bills, provided it is done according to a written, non-discriminatory policy.	Disagree. Sub (b) of this rule section provides a safeguard to providers to prevent customers that have been refused service on a legitimate basis from raising a dispute for the sole purpose of obtaining service.
Effective date		Charter Communications	Effective date should be more than 2 months out. The two month time period for implementation will increase costs to customers.	Page 13	Questions whether the imposition of these rules, especially within the two month time frame identified, will affect the cost of service to customers.	Changed to a six month effective date. Companies will also have at least an extra month between when the Commission approves the final draft and when it is published, which is the date from which the effective date is measured.
Effective date		SBC Ameritech	The timeframe for implementation of the rules is not adequate.  At a minimum, SBC/Ameritech would need nine months just to implement the proposed billing changes.  If the rules are promulgated as proposed or substantially so, SBC/Ameritech would need a minimum of 12 months for implementation.	Page 23-24	The proposed rules-particularly those relating to changes on bills will require extensive information systems work, budgeting, and employee education efforts.	Finally, a provision was added stating that an individual provider can ask for a later effective date if it can show unusual or exceptional circumstances.  Changed to a six month effective date. Companies will also have at least an extra month between when the Commission approves the final draft and when it is published, which is the date from which the effective date is measured.  Finally, a provision was added stating that an individual provider can ask for a later effective date if it can show unusual or exceptional circumstances.
Effective date		TDS Telecom	Give companies at least 6 months to implement changes, with ability to request waivers from specific rules on a company by company basis.	Pgs. 1 & 11	Companies need time to get waivers before must comply, and, in case of denial, must have enough time afterwards to implement.	Changed to a six month effective date. Companies will also have at least an extra month between when the Commission approves the final draft and when it is published, which is the date from which the effective date is measured.  Also, a provision was added stating that an individual provider can ask for a later effective date if it can show unusual or exceptional circumstances.  Finally, an individual provider can petition for the Commission to adopt different requirements for it due to unusual or exceptional circumstances (a "waiver") under both existing and proposed rule language.

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Effective date		Time Warner Telecom of Wisconsin, L.P.	Providers should be given at least 6 months to comply and to obtain waivers and/or exceptions.	Page 9-10	Compliance with many of the proposed rules will require major billing system changes, recruitment and training of additional staff and modifications to facilities. Many of the changes simply cannot be made in 60 days.  The Indiana Commission recently issued its final rules which are effective 180 days after acceptance.	Changed to a six month effective date. Companies will also have at least an extra month between when the Commission approves the final draft and when it is published, which is the date from which the effective date is measured.  Also, a provision was added stating that an individual provider can ask for a later effective date if it can shown unusual or exceptional circumstances.  Finally, an individual provider can petition for the Commission to adopt different requirements for it due to unusual or exceptional circumstances (a "waiver") under both existing and proposed rule language.
Effective date		Verizon	Effective date of any rule changes should be 18 months rather than 2 months.	Page 4	Verizon's experience in implementing changes such as those required by the proposed rules is that an 18 month period would be required to be in compliance, with 12 months being an absolute minimum.	Changed to a six month effective date. Companies will also have at least an extra month between when the Commission approves the final draft and when it is published, which is the date from which the effective date is measured.
Effective date		WorldCom, Inc.	There should be a sufficient time period to obtain a waiver without being bound by the rules.	Pg. 4	Enough time should be allowed before the rule goes into effect so that a waiver can be granted before the provider expends resources to comply with the rules.	Changed to a six month effective date. Companies will also have at least an extra month between when the Commission approves the final draft and when it is published, which is the date from which the effective date is measured.

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General		Amery Telcom, Inc.	Rescind proposed rules. Burdensome and will drive up costs, which will be passed on to customer.		<p>The new revisions will most likely cause small companies and their customers undue burdens and may be almost impossible to implement.</p> <p>They will drive up costs which will then be passed on to customers.</p>	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>

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General		Amherst Telephone Company	Rescind proposed rules. If companies have to spend to meet new requirements, will be at a competitive disadvantage. It also requires spending money that would be better spent on plant.		<p>The proposed changes would require additional staff and the accompanying expenses that occur. It would be better to put resources toward plant.</p> <p>If the company's funds must be spent on regulation, our competitors receive an unfair advantage in the competitive field.</p>	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p> <p>Disagree. This rulemaking began with a working group comprised of representatives of various types of providers, the public, other state agencies and commission staff. That group met for over a year. There is no need to repeat that process. The promulgation process provides sufficient additional paths for input.</p>
General						
	AT&T		Convene a workshop consisting of representatives of the PSC staff, the various sectors of the telecommunications industry, consumer groups, and other interested parties to undertake a further comprehensive evaluation of proposed rules.	Page 11	<p>AT&amp;T comments demonstrate that further review is necessary.</p> <p>Further collaboration among interested parties is necessary to revise the proposed rules.</p>	

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General		AT&T	The costs associated with the proposed rules should not outweigh the purported benefit.	page 10 -11	The cost of providing information to customers, pursuing the dispute resolution process and requiring payments to be applied to current charges first shouldn't outweigh the benefit to customers.	Agree in part. Due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.
General		AT&T	The proposed rules should avoid regulating matters which are already subject to applicable federal or state requirements.  Tailoring business documents to include Wisconsin-specific requirements beyond federal standards would be burdensome.	Pages 8 - 9	Duplicative state rules are unnecessary and redundant.  Since federal rules are continually being modified, providers will inevitable face conflicting and inconsistent requirements if state rules are continually updated to reflect the evolving federal requirements.  Tailoring business documents to include Wisconsin-specific requirements beyond federal standards would be burdensome.	Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).  Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.  Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.  It is unreasonable to expect that states will never vary from federal requirements. However, the "slamming" and "PIC freeze" portions of the proposed rule have been deleted since the federal rules now apply to local and intrastate toll service in addition to interstate service.  Finally however, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.

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General		AT&T	The scope, degree and extent of regulation reflected in the proposed rules is inconsistent with Act 496's goal of deregulating telecommunication service in WI and fostering competition and market forces to enhance customer choice.	Page 3	The revisions will double the existing ten pages rule to 25-30 pages.	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet".</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>



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General		Bayland Telephone, Inc.	Rescind proposed changes other than minor language changes, because puts local exchange provider at a competitive disadvantage to wireless, the rules are too restrictive, and providers need flexibility to develop their own personalities as a company.	Pages 1-2	<p>A regulated provider will be at a disadvantage from competition from wireless providers as they are not regulated.</p> <p>The proposed rules are too restrictive.</p> <p>Bayland Telephone needs the flexibility to be able to modify their front and back office operations to meet customer needs. Rules which determine specifically how we work with our customers are illogical. It makes it impossible for a particular company to develop its own personality, instead are lock-stepped.</p>	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>The decision to not regulate wireless but to retain at least some regulation of wireline companies was the legislature's. The proposed rules do not present a situation different from the existing situation, where wireline companies are subject to PSC 165 and wireless companies are not.</p>

However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.

Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.

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General		Charter Communications	Reject the proposed rules. Diverts money from new service deployments. The cost is not worth the benefit. Anti-competitive.	Page 2 & 7	This micro-management threatens to siphon scarce dollars away from new and innovative service deployments and towards the cost of implementing additional and suffocating back office administration.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.
					believes the proposed rules will not deliver a benefit equal to or greater than the resulting increase in cost for customers.	The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.
					Believes customers are not willing to bear the cost of obtaining these benefits.	
					Believes the costs of implementing the proposed rules will cause competitors to forego expanding their markets in WI or that they will simply stay out of this market.	Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).
					Puts ETC requirements on non-ETCs.	However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.
						Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.
General	Charter Communications	It is clear the PSC has not fully explored the interface of the proposed rules with ATPC rules.	Page 7	The PSC has not identified where the ATPC provisions interface with the proposed rules and what should happen where there is conflict and overlap.	The layering of PSC provisions on top of the ATPC rules creates a convoluted array of rules which confuses the provider.	Disagree. The interaction was considered. The 3 references to the ATPC rules were added in response to comments from the Dept. of Agriculture, Trade and Consumer Protection at the Industry/Public Working Group meetings. They were intended to help clarify interaction between the 2 rules in particular situations.
						ATCP 123.12 further discusses the interaction between the ATPC rules and the Commission's statute and rules.

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General	Charter Fiberlink, L.L.C.		Additional regulation should be imposed on "bad players" rather than all providers.	Page 45		Disagree. It is important to standardize provider practices. The standards in the proposed rules are minimum standards that will be applied to most providers. It would be administratively problematic to have rules that are selectively applied to providers within the same class.
General	Chibardun Telephone and CTC Telecom		Rescind proposed rules, or only have them apply when a Commission complaint threshold has been reached.  An industry transitioning to competition doesn't need more regulation. Consumer choice will result in increased customer satisfaction.  Increases costs and prevents companies from differentiating themselves.	Page 1	An industry that is supposed to be transitioning to a more competitive structure does not need more regulation? Improved customer satisfaction is the product of consumer choice.  This increases costs, diverts revenues that could be better used elsewhere, requires information customers don't want, and prevents companies from differentiating themselves from others.  The changes will result in additional costs to our customers as well as substantial administrative burden for our companies.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.  The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.  Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).  However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.  Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
General		Chibardun Telephone and CTC Telecom	<p>Recommendations of the IPWG were largely disregarded.</p> <p>Factors such as consideration for the varying sizes of telecommunications providers, benchmarks that were easy to understand and measure, rules setting minimum standards rather than competitive standards, technical capabilities and allowing for flexibility for the differences between companies were not considered.</p>	Page 1		<p>Disagree. Comments by the Industry/Public Working Group were taken in consideration while these rules were written. Many changes were made based on that input. However, while IPWG input was vital, this was not intended to be a consensus document.</p>

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
General		Farmers Independent Telephone Company	Rescind the proposed rules. Not necessary and burdensome.		These rules are not needed for small telcos. The rules would be a burden and a paper nightmare.	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>

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General		Frontier (including Rhinelander)	Rescind the proposed rules. Burdensome and unnecessary. Diverts resources.	Page 7	The proposed rules are burdensome and unnecessary. The costs outweigh any benefits. They will require a carrier to redirect resources away from deploying new services and maintaining high quality service in order to redesign operational systems to comply with the new administrative requirements.	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>

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General		Hager Telephone	Rescind the proposed rules. Burdensome, puts providers at a competitive disadvantage, costly.		<p>The proposed revisions will most definitely jeopardize the service our customers are currently receiving and put us at a competitive disadvantage to companies who would not be required to abide by these rules.</p> <p>They are burdensome, extensive and costly to implement...creating an administrative nightmare.</p>	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>

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General		Manawa Telephone Company	Rescind proposed rules. Burdensome and unnecessary, especially filing requirements.	Pg 1	The proposed rules are burdensome and unnecessary, especially filing requirements when don't have complaints.	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>



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General		Marquette-Adams Telephone Coop	Rescind proposed rules. With competition, expected less regulation. Burdensome, unnecessary, keeps providers from differentiating themselves.	Page 1	<p>With competition, less regulation rather than more was the expected result.</p> <p>Many of these rule changes will create a heavy burden on small companies due to the expanded requirements for recording, recordkeeping, training, software and hardware.</p> <p>Burdensome and unnecessary. Prevent companies from distinguishing themselves from one another.</p>	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>

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General		Nelson Telephone Coop	Rescind proposed rules. Burdensome and unnecessary. Keeps providers from differentiating themselves.		Unnecessary and burdensome, both financially and administratively. Prevents companies from distinguishing themselves from one another.  Don't allow companies flexibility in how they handle customer service.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.  Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)  The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.  However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.  Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.

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General		Northeast Telephone Company	The rules do not fit the needs of the industry.	Page 1	Most of the proposed rules fail to take into consideration the widely varying size of telecommunications providers.  The rules are not concerned about the technical capabilities of utilities  The rules are setting more than minimum standards. Competition requires less regulation, not more.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.  Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)  However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.  Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.  Disagree. The standards in the proposed rules are minimum standards. Customers should be able to receive a certain level of service regardless of which company provides their local telephone service. The revisions offer customers a certain expected level of consistency between providers and, at the same time, give providers sufficient latitude in which to differentiate their service to customers.
General		Northeast Telephone Company	Standardizing business office practices will reduce differentiation among competitors.	Page 53		

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General		Northeast Telephone Company	No effort was made to reach a consensus or agreement on any of the proposed rules.	Page 1		Disagree. The Industry/Public Working Group met for over a year so that staff could gather input concerning these rules. As was stated in the Working Group, this was not intended to be a consensus document. However, many changes were made based on the input from members of the industry. In many areas of the rule, no objections were raised during the Working Group meetings or when the hearing draft was sent to Working Group members for comments before it was sent to the Commission to be scheduled for hearings.
General		Northeast Telephone Company	The proposed rules are contrary to Wis. Act 496 because they constitute more rather than less regulation. The changes caused by Wis. Act 496 necessitate less regulation to accommodate competition.	Page 52		The promulgation process provides additional avenues for comments, and has resulted in a number of additional changes based on industry input.  Agree in part. Wis. Act 496 introduced much more competition and customer choice into the telecommunications industry. As a result, new problems and areas of concern arose which prompted the Commission to reexamine its current administrative rules to see which areas require revision. Staff is sensitive to the concerns expressed by providers regarding the level of regulation in these rules and made numerous revisions in order to maintain consistency with the purpose of Wis. Act 496.

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General		Richland-Grant and LaValle Telephone Cooperatives	Rescind proposed rules. Financially burdensome. Divers'ts resources. Co-ops are owned by customers so have to be more responsive.	Page 1-2	The proposed rules would require expenditures for retaining current employees, adding to staff for record keeping, software changes for record keeping and software changes for billing.  Financially burdensome and divers'ts resources. Owned by members so have to be more responsive.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.  The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.  However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.  Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.

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General	SBC Ameritech		Supports some proposed changes, but not the rule as a whole. Substantially modify the proposed rule.	Page 1-9	Wis. Admin. Code PSC 165 is in need of revision to bring it in line with fundamental changes in telecommunications industry regulation and policy, and to specifically implement the consumer protection requirements of 1993 Wis. Act 496.  The rules limit market differentiation.  Revisions are inconsistent with the Legislature's stated policy of increasing competition, the market and consumer choice.  The rules are unnecessarily complex, voluminous, cumbersome and detailed and will impose significant yet unnecessary administrative and economic burdens on the industry and its customers.  The proposed rules will result in enormous cost burdens to providers, price increases for customers, and increased administrative burden for the Commission.  The proposed rules would not benefit consumers and would result in flawed, costly and onerous new regulation that is unnecessary and inappropriate during this period of increasing competition and decreasing complaints when regulation should be tempered.  The proposed rules are burdensome, and unnecessary because of the competitive environment in the industry.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.  The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.  However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.  Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.

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General	SBC Ameritech	Suggest adding language to make timeframes consistent with the language in PSC 2.05(2).	Matrix pg. 1	This would eliminate the need to differentiate between calendar days and business days.	Change not made. The Commission believes that the language in the new rule is more familiar to users of this long-standing rule.	
	SBC Ameritech	The rulemaking process was not adequate.	Pages 10-11	<p>The proposed rules do not adequately reflect industry, or even consumer input and ought to be subject to further comment.</p> <p>The rules do not reflect thorough or in some cases even marginal consideration of final product of the original Industry/Public Work Group (IPWG).</p> <p>The rules were not developed by consensus, nor do they reflect a meaningful balancing of interests.</p> <p>The rules are not sufficiently developed or understood to be susceptible of meaningful balancing of interests.</p>	<p>Disagree. An Industry/Public Working Group (IPWG) was created so that staff could gather input concerning these rules. This is a step beyond that which is required in a rulemaking. Generally, the only chances for input are at the public hearing and when the rule is being considered by the legislature.</p> <p>The IPWG met for over a year so that staff could gather input concerning these rules. As was stated in the Working Group, this was not intended to be a consensus document. However, many changes were made based on the input from members of the industry. In many areas of the rule, no objections were raised during the Working Group meetings or when the hearing draft was sent to Working Group members for comments before it was sent to the Commission to be scheduled for hearings.</p> <p>The promulgation process provides additional avenues for comments, and has resulted in a number of additional changes based on industry input.</p>	

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General		Somerset Telephone Company	Rescind the rules. The proposed rules are burdensome and unnecessary. Increases costs.		<p>The proposed rules are burdensome and unnecessary.</p> <p>The new revisions will most likely cause our company and our customers undue burdens and may be very difficult to implement.</p> <p>Increases costs.</p>	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>



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General		TDS Telecom	If can't make the rule apply to wireless too, then reduce burdens that will be placed on wireline.	Pgs. 3-4	Revised rules create more regulations and an uneven playing field, especially with wireless.  Consumers can vote with their feet.	<p>Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.</p> <p>Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)</p> <p>The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.</p> <p>The decision to not regulate wireless but to retain at least some regulation of wireline companies was the legislature's. The proposed rules do not present a situation different from the existing situation, where wireline companies are subject to PSC 165 and wireless companies are not.</p> <p>However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.</p> <p>Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.</p>

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General		Verizon	Rescind the proposed rules (with the exception of adding Provider Selection Changes and Freezes and Truth-in-billing sections.)  Unnecessary, increases costs, market should drive customer satisfaction, will hamper competition.	Page 2-4	No reason for rule changes.  The proposed rule revisions will micro-manage the telco industry, impose significant new costs and reduce revenues.  Marketplace dynamics should drive customer satisfaction - not regulation.  Proposed Rule Revisions will hamper competition.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.  Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)  The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.  Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).
						However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Truth-in-Billing provisions were retained, but the Provider Selection Changes and Freezes sections were deleted. The reasons for the deletion may be found in the comments for those sections of the rule. Changes to various specific portions of the rule are discussed with the comments on those particular sections.  Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.

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General		WorldCom, Inc.	There should be additional and more interactive forums for discussion of the complex issues in the proposed rules.	Page 27	<p>The Commission should hold another set of hearings on the proposed rules after the Commission, staff and telecommunications providers have had the opportunity to review written comments to the revisions.</p> <p>The Commission should conduct informal collaboratives in a more interactive format wherein staff and provider representatives can brainstorm, pose questions and address the proposed rules.</p>	<p>This rulemaking began with a working group comprised of representatives of various types of providers, the public, other state agencies and commission staff. That group met for over a year. There is no need to repeat that process. The promulgation process provides sufficient additional paths for input.</p>

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General	WSTA		Rescind proposed rules, preferably in whole but at least in part.  Unnecessary, burdensome, keeps providers from differentiating themselves, diverts resources.	Pages 1-3	WSTA's major objection is the additional demands for time and money that telcos would need to devote to the administrative burden that the proposed rule would cause.  The proposed rules are burdensome and unnecessary.  The proposed rules do not allow telcos to differentiate themselves.  Dissatisfied customers will have difficulty seeking "better" service because companies will look alike in their application process; billing, and out-of-service, installation delay and missed appointment adjustments.  The proposed revisions are contrary to the intent of ACT 496 and will not promote competition.  Service to customers will not improve and may even suffer as companies divert substantial time and money to pay for things required by the new rules, i.e., system changes, staff training, additional mailings, etc.  Resources spent on these activities are resources that will not be invested in infrastructure or used to address real customer concerns.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.  Many of the changes are just to provide clarity and increased readability. Also, some sections only apply if a provider chooses to use them (deposits and involuntary restriction of service.)  The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.  Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).  However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.  Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.  Disagree. "Less than" is properly used before a plural noun that denotes a measure of time, amount or distance (for example, less than 3 years.)
General	WSTA		Throughout the proposed rule "less than" should be replaced by "fewer than" when referring to a number of items.	Page 14	Grammar.	

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General		WSTA- Small Company Committee	Rescind most of proposed rules, only do minor changes such as cite changes and clarifications in the technical sections. Burdensome, additional cost, not in keeping with competitive market.	Page 1-2	The regulations will result in delays in providing service, additional expense to the consumer for rule implementation and burdensome paperwork for already stretched small telco staff.	Agree in part. The rules are outdated and in need of at least some updating. Some of the changes are made to reflect current practice. Further, since these rules were written before competition entered the picture, some additional regulations are necessary to deal with issues that did not arise until after the state and federal telecommunications laws were revised.
					Rather than improve already excellent customer service, the new regulations will likely sidetrack service operations to focus on administrative procedures.	The competitive environment in Wisconsin is highly variable, and these rules attempt to deal with that wide spectrum. Customers do not always have the ability to "vote with their feet". These rules are intended to be minimum requirements. Companies can always distinguish themselves by offering levels of service above these minimums.
					The rules proposed are a shotgun approach to solving problems and will be imposed and cause hardship on all telephone companies in the state.	Many of the implementation costs are one-time investments with long-term benefits for both customers and providers. These changes include provisions that give providers the tools to generate additional funds (late fees) and to minimize losses (involuntary restriction of service).
					This will keep PSC action in line with the competitive market reduced regulation goals of ACT 496.	
General	168.09(5)	WSTA	This subsection should be numbered PSC 168.09(6) per line 23.	Page 15	Typo.	However, due to comments that the rules are burdensome, each part of the proposed rule has been revisited. Changes to various specific portions of the rule are discussed with the comments on those particular sections.
	)					Finally, the rule allows the Commission to adopt different requirements in unusual or exceptional situations. Any company can petition the Commission for such a "waiver" if it believes its situation deserves special consideration.
						Correction made to line 23.
General answering time standards	165.0605	AT&T	General answering time standards should not apply to CLECs.	Page 29	Consumers can choose between providers.	Other. Technical section - not part of 1-A-C-184.
						CLECs will have difficulty compiling this information without extensive systems changes that will be costly and that will result in increased prices for services.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Information available to customers	165.0302	AT&T	Delete new requirements in this section.	Pages 10-11, 16	This section imposes new, burdensome, expensive and unnecessary requirements on providers. Imposing such requirements on CLECs will impede their ability to operate in WI. The cost associated with these requirements outweigh the purported benefits.	Disagree. Availability of a common set of basic information on services, terms and prices is the basis for consumer decisions in a competitive marketplace. Specific sections are addressed from specific comments and some changes are made.
Information available to customers	165.0302	Frontier (including Rhinelander)	Do not require carriers to provide customers with a copy of PSC 165.	Page 3	Requiring carriers to provide customers and applicants, at no cost, with one copy of ch. PSC 165, all rates or service charges that apply to the customer's usage, and any rules, terms and conditions that apply, is clearly unreasonable and unnecessary.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302	SBC Ameritech	Recognize other means of communication.	Matrix Page 12	The proposed rules must recognize the steadily general and growing availability of the Internet or fail to truly become upgraded	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302	SBC Ameritech	Do not require that providers must supply customers with tariffs/Commission rule, etc., It will annoy customers and be treated as junk mail.	Matrix Page 11	The provision of tariffs/ Commission rules, and additional detailed legal information to customers will almost certainly annoy many customers as just more "junk mail."	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302	Charter Communications	Delete requirement to mail required information to customers. It will be ignored or thrown away.	Page 7	It is likely that nearly all of the information distributed to customers under this section will be ignored or, more likely, thrown away.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302	Charter Communications	Delete. Costly to implement with no benefit to customer or company.	Page 7	This provision will be very costly to implement with no benefit to either the customer or the company.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302	WSTA	Delete. The requirements are unreasonable, unnecessary and burdensome.	Page 6	Telcos should be allowed to refer people to the PSC, or the internet, for a copy of Chapter PSC 165. The requirements in the subsections are unreasonable, unnecessary, and burdensome.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Information available to customers	165.0302 (1)(a)	AT&T	The proposed rule should be changed to require paper copies only when the information isn't available to the consumer in electronic format and only when requested by the consumer.	Page 16	AT&T questions the need to keep on file and provide public access to Chapter 165 and a schedule of all rates, service charges, etc. PSC 165 is available to the public via the PSC web site and in public libraries. AT&T's rates and service charges are generally available in publicly filed tariffs and on its web site.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (1)(a)	SBC Ameritech	Delete this requirement.	Matrix Page 13	ILEC's rates and service charges and any rule, terms, conditions that apply are available in tariffs at the Commission which are readily accessible to the public. Providers that don't have tariffs available at the Commission should be allowed to have them available on the internet	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (1)(b)	AT&T	Delete.	Page 16	This section imposes new, burdensome, expensive and unnecessary requirements on providers.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (1)(b)	SBC Ameritech	Delete this requirement.	Matrix page 13	SBC Ameritech (and probably other providers generally) already furnish applicants and existing customers quotes of the charges associated with the services the customer is inquiring about. For applicants that become customers, SBC Ameritech follows up these verbal quotes with written confirmation in the form of the fulfillment letter.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Information available to customers	165.0302 (1)(b) - (d)	TDS Telecom	Change requirement to provide, upon request, copy of PSC 165, rates, service charges, and rules/terms/conditions that apply to usage; and to give annual notice in bill or directory that this information is available and where to get it.	Pg. 7-8		Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
			Instead require companies to assist customers with questions and direct them to appropriate resources to find the information needed.			
Information available to customers	165.0302 (1)(b) & (d)	WorldCom, Inc.	Revise to require providers, upon customer or applicant request, to provide information as to how they can access copies of PSC 165 via direct inquiries to the PSC's website or its toll-free number.	Page 8	No reason given.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (1)(c)	AT&T	The proposed rule should state that the notice will be mailed when the information is not available to the consumer in electronic format.	Page 16	This section imposes new, burdensome, expensive and unnecessary requirements on providers.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (1)(c)	SBC Ameritech	Clarification and consistency with SBC Ameritech suggestions on subparagraphs (a) and (b).	Matrix page 14		Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (1)(c)	Time Warner Telecom of Wisconsin, L.P.	Revise so this section doesn't apply to CLECs.	Page 18	Necessary modifications or system changes to comply with the manner in which notice is required can be cost prohibitive to CLECs.	Agree in part. This practice should be required of all providers so competitive options can be examined by consumers. However, some adjustments were made to make this requirement less costly.
			TWTC uses their website, contracts and proposals to convey the information that would now be required on customer bills or bill inserts.			



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Information available to customers	165.0302 (1)(d)	AT&T	Delete. This section imposes new, burdensome, expensive and unnecessary requirements on providers.	Page 16	This section imposes new, burdensome, expensive and unnecessary requirements on providers.	Agree in part. This practice should be required of all providers so competitive options can be examined by consumers. However, some adjustments were made to make this requirement less costly.
Information available to customers	165.0302 (1)(d)	SBC Ameritech	Do not require telcos to provide PSC 165 to customers.	Matrix Page 11	Providers should not be responsible for maintaining an up-to-date printed version of the rules, especially when the public can readily access the rules on the PSC web site.	Agree in part. This practice should be required of all providers so competitive options can be examined by consumers. However, some adjustments were made to make this requirement less costly.
Information available to customers	165.0302 (2)	SBC Ameritech	This provision is not necessary.	Matrix page 15	This is an onerous requirement in terms of cost, time, and internal technology system modifications. With the low number of Wis. Admin. Code requests expected, customers should be directed to access the Wisconsin State Legislative web site.	Disagree. These requirements are consistent with the DATCP rules because these address disclosure of information on options and DATCP's address misrepresentation of the options.
Information available to customers	165.0302 (2)	SBC Ameritech	Delete. The proposed requirements would require a substantial deviation from current provider business practices.	Matrix Page 16	DATCP rules already prohibit misrepresentation about the terms of service.	Agree in part. Some changes made to provide flexibility. However, these rules need to apply to all providers to meet consumer needs for more uniform information regarding options in the more complex competitive marketplace.
					The proposed requirements would require a substantial deviation from current provider business practices. Providers offer a variety of service offerings and optional packages that include within them the customer's basic telephone service as well as local calling plans.	The Commission has received customer complaints regarding their inability to obtain a basic local line and information for selection of individual options rather than a package.
					Having to discuss all of the proposed requirements before the provider can consult with the customer chills customer choice.	Providers have the opportunity to discuss the variety of services they offer.
					The customer will be confused and will possibly become unduly frustrated and this will be misuse of the customer's time.	

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Information available to customers	165.0302 (2)	SBC Ameritech	The requirement is already a federal requirement and is beyond state authority.	Matrix Pages 16-17	The proposed requirement to inform customer that alternative interLATA providers are available is already covered under federal law, and is beyond Commission jurisdiction to impose.	Disagree. This is required in the current rules and is consistent with federal rules.
Information available to customers	165.0302 (2)	SBC Ameritech	Delete.	Matrix page 15	This is regulatory micromanagement that is anti-ethical to the legislative mandate to allow the marketplace, rather than competition, to satisfy customer needs and desires. Imposing detailed business practices on providers is onerous and distracts from innovation. This will annoy customers.	Disagree. While some were changes made to provide flexibility, these rules need to apply to all providers to meet consumer needs for more uniform information regarding options in the more complex competitive marketplace.
Information available to customers	165.0302 (2)	SBC Ameritech	This requirement is unnecessary and inconsistent with the competitive nature of intraLATA services in Wisconsin.	Matrix page 16	Disclosures with regard to intraLATA providers is fundamentally inconsistent with the competitive nature of intraLATA services in Wisconsin.	Disagree. The disclosure requirement recognizes the competitive nature of toll services in Wisconsin.
Information available to customers	165.0302 (2)	SBC Ameritech	Delete this requirement. Uses old-style regulation rather than following the movement toward competition.	Page 18	Requiring the script and the exact order of items that must be conveyed to the customer is micromanagement and is antithetical to the movement of the industry away from legacy regulation into competition and increased choice.	Disagree. Some changes made to provide flexibility. Requirements meet consumer needs for more uniform information regarding options in the more complex competitive marketplace.
Information available to customers	165.0302 (2)	TDS Metrocom	This provision should be limited to ILECs and ETCs. An additional provision should be added to make it clear that providers who are not ILECs or ETCs are not required to offer any particular services and may offer services exclusively as part of a package.	Page 23		Agree in part. Revisions made to address situations where basic local service is not available and packages are all that is offered. However, these rules need to apply to all providers to meet consumer needs for more uniform information regarding options in the more complex competitive marketplace.  Providers are not required by these rules to offer particular services in a particular way and have the opportunity to discuss the variety of services they offer.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Information available to customers	165.0302 (2)	TDS Telecom	Ok to require provision of certain information, but do not require it in a particular order at the beginning of the script.	Pg. 10		Agree in part. Some changes made to provide more flexibility.
Information available to customers	165.0302 (2)	TDS Telecom	Do not require company to tell customers that CPE & non-regulated repair are available from other competitive providers.	P. 10		Agree in part. This disclosure is only required if the provider is marketing its Customer Premises Equipment and/or Wiring services.
Information available to customers	165.0302 (2)	WSTA	Telcos must be able to retain the flexibility to provide this information in a manner appropriate to the situation.	Page 7	This section proposes to write provider's sales scripts. Subsections (b) through (e) would require telcos to inform all applicants "in this order and at the beginning of the sales script..."	Agree in part. Some changes made to provide more flexibility.
Information available to customers	165.0302 (2) & (3)	WorldCom, Inc.	Delete. This section micromanages the substance and structure of product offerings, sales calls, and written sales/marketing materials.	Page 8, 9, 10	This section micromanages the substance and structure of sales calls and written sales/marketing materials without regard to the unique products that are developing in the emerging telecommunications marketplace.  Not all competitive providers offer products that can be dissected in the manner required by these sections.  There is no single "standard business service" and the products of interest to a particular customer will vary greatly with that customer's size, business needs and other factors.	Agree in part. Some changes made to provide more flexibility.  Revisions made to address situations where basic local service is not available and packages are all that is offered. The rule does not tell how services are priced or packaged but requires disclosure of features, options and prices.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Information available to customers	165.0302 (2)(a)	TDS Metrocom	Revise to eliminate the word "basic" before exchange services, because the exchange services offered by providers may vary.	Page 22	A CLEC should not be required to offer service in any particular form. Because the CLEC is not the provider of last resort it should not be required to "break open" standard service packages to separately price and provide services on an a la carte basis although some CLECs may choose to do so.	Agree in part. The word "basic" is left in because "basic local service" is now a defined term. Revisions made to address situations where basic local service is not available and packages are all that is offered.
Information available to customers	165.0302 (2)(a)	WSTA	"Standard business service" needs to be defined.	Page 12	WSTA requests that a note or such be added to the rule to define the term "standard business service" as access lines and usage.	Agree in part. Term eliminated so no need to define..
Information available to customers	165.0302 (2)(b)	AT&T	Clarify. Meaning of "basic monthly service" and "class of service" are not clear.	Page 17	Does the term "basic" in "lowest basic monthly service" refer to local service only? If not, what is its intended meaning in terms of toll services? What is meant by "the class of service requested?"	Agree in part. Local is added to clarify "basic local service" term. Class of service is defined.
Information available to customers	165.0302 (2)(d)	TDS Metrocom	Revise to state that if the provider is an ILEC or an ETC, the monthly quoted rates for basic service may not include any additional, optional service features.	Page 22	There is no reason to micro-manage CLECs businesses by telling them how to package and price their services.	Agree in part. Revisions made to address situations where basic local service is not available and packages are all that is offered. The rule does not tell how services are priced or packaged but requires disclosure of features, options and prices.
Information available to customers	165.0302 (2)(e)	AT&T	Delete.	Page 17	It would be costly and burdensome to modify all AT&T marketing messages to include statements regarding other "competitive providers" in the material provided to applicants or new customers.	Disagree. Equal access to toll providers is required by current rules. This provides disclosure of the customer's option.
Information available to customers	165.0302 (3)	SBC Ameritech	This requirement is not necessary because the commenter already provides customers a "fulfillment letter."	Matrix Page 19	A provider should not be required to advertise for its competitors.  SBC informs customers of all material terms of service through the issuance of a "fulfillment letter" that is sent to new customers after accepting service.	Agree in part. This requirement needs to apply to all providers. Made changes to clarify that information has to be provided that is specific to the customer's ordered service.

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Information available to customers	165.0302 (4)	SBC Ameritech	Do not compel providers to educate their customers about their services.	Matrix Page 19	Providers want to educate their customers about their services; they do not need to be compelled to do so.  If a customer asks questions about a particular service, current law prohibits misrepresentation and various other improper marketing practices	Agree in part. Revisions made so the information is provided on request and only to applicants and customers. Requirements meet consumer needs for more uniform information regarding options in the more complex competitive marketplace.
Information available to customers	165.0302 (5)	SBC Ameritech	Delete. This requirement is inconsistent with the legislative mandate to allow the competitive market to develop free of regulation where possible and there is no evidence it is needed.	Matrix page 19	The proposed requirement is inconsistent with the legislative mandate to allow the competitive market to develop free of regulation where possible.  There is no evidence that customers are being duped into obtaining the services of any one provider because they are misled or not aware that such services may be available elsewhere.	Disagree. Some changes made to provide flexibility. Requirements meet consumer needs for more uniform information regarding options in the more complex competitive marketplace.
Information available to customers	165.0302 (6)	AT&T	Clarify. The provision appears to be intended for local service, not for all "providers".	Page 17	The provision appears to be intended for local service, not for all "providers".	Disagree. The rule defines "provider" as only local service providers so no change is necessary.
Information available to customers	165.0302 (6)	Frontier (including Rhinelander)	Do not prevent a provider from billing for a feature or service unless the customer is informed that the service or feature is optional.	Page 4	This would preclude the LEC from billing on behalf of toll providers or other third parties.	Disagree. When a LEC bills on behalf of another provider, it is not the party responsible to provide the disclosure. Change made for clarity.
Information available to customers	165.0302 (6)	SBC Ameritech	This subsection is not needed. There is no evidence on the record that Ameritech's practice of closing discussions with customers ordering service are inadequate.	Matrix page 20	There is no evidence on the record that SBC/Ameritech's practice of closing discussions with customers ordering new service or new applicants for service are inadequate.	Disagree. The rule is not directed to any one provider, but address a practice about which the Commission has received complaints.

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Information available to customers	165.0302 (6)	WorldCom, Inc.	Delete.	Page 10	This provision is inappropriate in today's telecommunications marketplace. There is no need to require that optional features be offered alone as opposed to in packages.	Agree in part. Although revisions were made to address situations where basic local service is not available and packages are all that is offered, nothing in this rule requires that optional services be offered individually.
Information available to customers	165.0302 (6)	WSTA	Rule may interfere with a company's marketing of bundled discounted services, and should not be required.	Page 7	Requiring telcos to inform customers of additional rates and charges for a service or feature and to obtain authorization from the customer that such service or feature is optional in nature and is available as an individual service or feature, separate from service packages, may interfere with a company's marketing of bundled discounted services, and should not be required.	Disagree. Although revisions were made to offer flexibility to address situations where packages are offered, nothing in this rule requires that optional services be offered individually.
Information available to customers	165.0302 (6)c	SBC Ameritech	Delete because DATCP's rules prohibit negative option billing.	Matrix page 19	Telcos are already doing this. DATCP's rules prohibit negative option billing.	Disagree. These requirements are consistent with the DATCP rules because these address disclosure of information before selling optional services and DATCP's address specific negative option enrollment scenarios.
Information available to customers	165.0302 (7)	AT&T	Delete new requirements in this section because they will be burdensome and expensive.	Page 17	New requirements in this section will be burdensome and expensive. AT&T provides this information on its web site.	Disagree. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7)	Chibardun Telephone and CTC Telecom	Delete this requirement.	Page 3	This will result in considerable additional expense to provide information to our customers that 99% of them don't want or need.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Information available to customers	165.0302 (7)	Frontier (including Rhinelander)	Do not mandate that residential and business customers annually receive this list of information.	Page 4	The list is too expansive and in most cases would be irrelevant to customers. Customers won't welcome this information, and in most cases will have no use for it.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7)	Marquette-Adams Telephone Cooperative	Do not require the printing and mailing of this information.	Pages 3-4	As an alternative, a more concise summary of pertinent information regarding basic local service rates, ECC rates and installation charges and basic installation and out-of-service rights could be provided annually.  This requirement is a burden in both time and expense. The information is available in our offices.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7)	Northeast Telephone Company	Do not require utilities to provide this information.	Page 5	This information is rarely requested and of little use to customers. For example, deposit rules apply to almost none of our customers. This would result in many calls to our offices questioning the "junk mail." We would then have to record that call as a "complaint."	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7)	TDS Metrocom	This provision should be revised to require providers to provide information annually to its existing residential customers only when requested by a customer.	Page 23	The portion of this provision that requires providers to provide various information to existing residential customers on an annual basis is overly burdensome and expensive. This would impose excessive operational and material costs on providers. Most customers today probably would like less, rather than more, commercial mail.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7) - (9)	TDS Telecom	Do not require provision of all this information. Instead, require companies to notify customers of how they can obtain additional information on any of these subjects (such as business office, internet, etc.)	Pg. 8		Agree. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.

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Information available to customers	165.0302 (7) - (9)	Verizon	Delete these sections.	Page 8-9	This mandate will only add additional operating costs to the providers and most customers will ignore the information.  The cost of providing this in writing to every customer would far outweigh any supposed benefits.  This unnecessary waste of resources is not an environmentally or socially responsible action and is not in the public interest.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider. This should reduce cost and waste on the part of the provider.
Information available to customers	165.0302 (7) & (8)	TDS Metrocom	Posting information on a website or publishing it in annual directories should serve as sufficient compliance with these requirements.	Page 23		Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7) & (8)	WorldCom, Inc.	Revise to require the information be provided at the time of fulfillment and to be published annually in the phone directory.	Page 11	Providing the information in these two sections would be burdensome and expensive without additional customer benefit.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7) & (8)	WSTA	The requirement to provide the information annually should be dropped.	Page 7	A less burdensome compromise would be requiring an annual reminder that the information was given and is available.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7)&(8)	WSTA	The requirement to provide this information should be dropped.	Page 7	Most customers never will be affected by the deposit rules. Such information is more appropriately provided when relevant situations arise.  Providing information at the time of installation in cases in which installation involves a visit to the customer's residence or place of business should be an option.  The information about EAS and ECC is published in directories and makes more sense there.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.



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Information available to customers	165.0302 (7)(8)	SBC Ameritech	Delete all requirements in subsections (7) and (8) except for requirements (f) (h) and (i).	Matrix Page 21		Disagree. Limiting the information provided meets only the needs of certain customers. However, changes were made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7)(c)	TDS Metrocom	Revise to clarify that a provider is required to furnish an accurate description of its deposit rules to new residential customers only if such rules exist.	Page 24	CLECs should be allowed to deny service to applicants and should not be obligated to offer a deposit arrangement to applicants that do not provide reasonable assurances of being able to pay their bills.	Disagree. Change made. Other changes address this issue in deposit rules and application for service.  Changes also made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7)(d)	TDS Metrocom	Eliminate.	Page 24		Disagree. Did not eliminate the section, however, changes made to only require for new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (7)(d)	WorldCom, Inc.	Delete "including deferred payment arrangements" (sic) agreements and add "standard payment options such as credit card billing, automatic bank account deduction", etc.	Page 11	DPAs are not a standard payment option.	Agree. Change made.
Information available to customers	165.0302 (7)(e)	WorldCom, Inc.	The term "dispute" should be changed to "complaint" in tandem with the proposed narrowing of that term as described with respect to PSC 165.0102(11).	Page 12	The definition of complaint is overbroad.	Disagree. Dispute procedures is the proper term used in the rules.
Information available to customers	165.0302 (7)(g)	TDS Metrocom	Eliminate.	Page 24		Disagree. This information needs to be available to customers, however, changes were made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (8)	AT&T	Delete new requirements in this section.	Page 17	New requirements in this section will be burdensome and expensive. AT&T provides this information on its web site.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider. This will be less costly for providers.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Information available to customers	165.0302 (8)	Chibardun Telephone and CTC Telcom	This proposed rules is burdensome and unnecessary.	Page 3	These proposed rules will result in considerable additional expense to provide information to our customers that they don't want or need.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider.
Information available to customers	165.0302 (8)	TDS Metrocom	This provision should be revised to require providers to provide information annually to its existing business customers only when requested by a customer.	Page 23	The portion of this provision that requires providers to provide various information to existing business customers on an annual basis is overly burdensome and expensive. This would impose excessive operational and material costs on providers. Most customers today probably would like less, rather than more, commercial mail.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider. This should be less costly for providers.
Information available to customers	165.0302 (8)	Time Warner Telecom of Wisconsin, L.P.	Add language allowing provider to notify customers that an explanation on how to obtain the information is available on their website. Or, add language to allow providers to include information about charges and other terms in the contract or other written materials provided to the customer at the time service is initiated.	Page 18 - 19	Necessary modifications or system changes to comply with the manner in which notice is required can be cost prohibitive to CLECs.	Agree in part. Changes made to require notification of new customers and for annual notification of existing customers regarding where the information may be accessed electronically or obtained from the provider. This should be less costly for providers.
Information available to customers	165.0302 (9)	AT&T	Clarify.	Page 17	This section appears to apply only to local service providers, but it is unclear. Requiring providers to recreate this information will require extensive and expensive processing and record creating changes with little or no additional benefit to the consumer.	Agree. Clarification added. Only applies to providers who are furnishing local exchange service.
Information available to customers	165.0302 (9)	SBC Ameritech	Don't make a new requirement that would force the creation of new technology and billing enhancements to combine all of this information into a single statement.	Matrix pages 22-23	Furnishing this information will be a manual process, which will be highly resource and time consuming. Customers can retain their own bills.	Agree in part. Changes made to clarify that no separate single statement is required. This should be less costly for providers.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Minimum transmission standards	165.0610	AT&T	Delete this section.	Page 29	This rule proposal would require extensive systems and software development, the costs of which would be passed on to customers.	Comments refer to a technical section of the rule that is not part of 1.-AC-184.
Oppressive and deceptive practices	165.0308	AT&T	Delete section.	Page 22 -23	The language in this section is broad, indefinite and open-ended. As drafted, it is arguably unconstitutional "void for vagueness."	Disagree. This section is intended for use in egregious situations. Almost identical language is in PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative consideration. Similar language appears in the administrative rules of other agencies.
Oppressive and deceptive practices	165.0308	Charter Communications	Delete.	Page 9	The provision is duplicative of other remedies/provisions of law and is of questionable necessity. See W/s. Stat. Chapter 100.	Disagree. This section is intended for use in egregious situations. Almost identical language is in PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative consideration. Similar language appears in the administrative rules of other agencies.
Oppressive and deceptive practices	165.0308	SBC Ameritech	SBC Ameritech objects to this entire section and recommends its deletion from the proposed rules. At least it should be substantially modified as described in comments on specific sections.	Matrix page 31	Vague and undefined terms are used throughout the proposed section. The issues sought to be addressed fall within the jurisdiction and function of DATCP.	Agree in part. This section has language that is almost identical to language in PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative consideration. Some of the language is also similar to language in the administrative rules of other administrative agencies. This section is intended to be used in egregious situations. Various limitations such as reasonableness tests appear as well. The rule specifies that it is in addition to DATCP regulations. However, further clarification of various specific portions of this section have been adopted as a result of comments concerning those individual sections.
Oppressive and deceptive practices	165.0308 (1)	SBC Ameritech	If don't delete entire section, change this piece by deleting the word "any".	Pg 31 matrix	Superfluous.	Agree. Change made.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Oppressive and deceptive practices	165.0308 (2)(b)	SBC Ameritech	If don't delete the entire section, then change as follows (all caps means insertion, in bracket means deletion):  (2)(b) Threatening TO REFER A CUSTOMER FOR criminal prosecution WITH KNOWLEDGE THAT SUCH REFERRAL WOULD BE without merit [or authority].	Pg 31 matrix	Clarifies the object of the threat, and knowledge requirement. Deletes "authority" since providers are not imputed with any particular statutory, regulatory, or other legal "authority" to refer any person for criminal prosecution.	Agree in part. Added clarifying language stating that what's prohibited is threatening legal action or threatening to refer for prosecution without merit or authority. This covers both criminal and civil legal actions.  Retained use of both "merit" and "authority" because a company may have the authority to bring a civil action, and because the company has the same rights as anyone else to request that criminal charges be filed.
Oppressive and deceptive practices	165.0308 (2)(d)	SBC Ameritech	If don't delete entire section, at least delete this piece.	Pg 31 matrix	This proposal is ill defined and unworkable, and unacceptably exposes providers to liability. For example, one may argue that any range of communications with a provider might make customers feel harassed. A communication by a provider that service would be disconnected if the appropriate circumstance is a "threat." This undefined, broad, and vague language would invite litigation and unpredictability for providers.	Agree in part. Almost identical language is contained in PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative consideration. This section is intended to be used in egregious situations. The Commission needs this flexibility to deal with the variety of situations that can arise. This prohibition is tempered by a "reasonability" test.  However, language has been added clarifying that the "threatening" mentioned in the rule only includes "threats" involving behavior other than that in which a provider can lawfully participate (for example, since disconnection is allowed under certain circumstances, threatening to disconnect is not threatening unless disconnection would be prohibited under the existing circumstances.)

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Oppressive and deceptive practices	165.0308 (2)(g)	SBC Ameritech	If don't delete entire section, at least make the following changes (all caps means insertion, brackets means deletion):  [Unfairly] INTENTIONALLY taking advantage of the lack of knowledge, ability, experience or capacity of a customer IN TRANSACTIONS WITH THE CUSTOMER WHEN THE PROVIDER KNEW OF THE CUSTOMER'S LACK OF KNOWLEDGE, ABILITY, EXPERIENCE OR CAPACITY.	Pg 31 matrix	Providers should not be responsible for a confused customer (e.g., diminished capacity, elderly, etc.) who is walked through a product sale and does not provide any evidence of confusion or diminished capacity. There must be some animus or intent in order for this section to be appropriate and capable of just and even enforcement.  SBC Ameritech Wisconsin can (and does) design its sales processes so as to limit the chances that information will confuse/mislead an average customer. The SBC Ameritech Wisconsin proposed change eliminates the possibility of a violation when the provider has no actual knowledge of a customer's lack of knowledge, ability, experience or capacity.	Agree in part. Added language requiring that the provider "knew or should have known" of a customer's lack of knowledge, experience, capability, etc. However, did not add intent as a separate element. The addition of the "knew or should have known" language addresses the concern that a provider could inadvertently violate this section.
Oppressive and deceptive practices	165.0308 (2)(g)	TDS Metrocom	Delete.	Page 30	It is unrealistic that the prohibition on unfairly taking advantage of the lack of knowledge, ability, experience or capacity of a customer reasonably could be enforced.  This is such a broad and undefined standard as to be no standard at all. It would invite endless disputes.  Remaining rules provide more than enough protection to prevent a provider from harming consumers in this way.	Disagree. This section is intended for use in egregious situations. However, added language requiring that the provider "knew or should have known" of a customer's lack of knowledge, experience, capability, etc. This addition addresses the concern that a provider could inadvertently violate this section.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Oppressive and deceptive practices	165.0308 (2)(g)	WSTA	Delete.	Page 9	The prohibition against "unfairly taking advantage of the lack of knowledge, ability, experience or capacity of a customer" has nothing to do with telecommunications. Such an admonition is more appropriate for general consumer protection rules.	Disagree. This rulemaking is specifically dealing with telecommunications consumer protection. As with any other industry, there are, or may be in the future, bad actors. This section is intended for use in egregious situations. However, added language requiring that the provider "knew or should have known" of a customer's lack of knowledge, experience, capability, etc. This addition addresses the concern that a provider could inadvertently violate this section.
Oppressive and deceptive practices	165.0308 (2)(h)	SBC Ameritech	If don't delete the entire section, then at least change this piece as follows (all caps means insertion, brackets means deletion):  (h) ENGAGING IN a practice that [would have the natural effect of reasonably causing or aid in causing customers to misunderstand] IS DESIGNED AND INTENDED TO MISLEAD CUSTOMERS AS TO the true nature of the transaction or their rights and duties thereunder.	Pg 31 matrix	As written, the provision is vague and inappropriately subjective. Intentionally deceptive practices are prohibited under both statutes and ATCP regulations. There is no reason to apply more onerous or less defined standards in the context of telecommunications. If behavior is to be prohibited, rules must clearly describe the behavior, and tie the behavior to the actor prohibited, not the perceptions of the person harmed or "natural effects of reasonably causing" any particular perception or reaction.	Agree in part. Agree to add "Engaging in" at the beginning of the sentence, but not to other suggested changes. Almost identical language appears in PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative consideration. Similar language is used in the administrative rules of other agencies. Limiters such as reasonableness tests are included in the rule. For example, this prohibition is tempered by the consideration of whether the behavior would "have the natural effect of reasonably causing or aid in causing customers to misunderstand....". This section is intended for use in egregious situations. The Commission needs flexibility due to the variety of situations that could arise. The rule indicates that this section is in addition to any DATCP regulations.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Oppressive and deceptive practices	165.0308 (2)(i)	SBC Ameritech	If don't delete entire section, at least delete this piece.	Pg 32 matrix	Any prohibition on waiver should be for those regulatory provisions specifically designed for consumer protection. Common law and other rights are waived by transacting parties as a matter of course in transactions. The telecommunications industry should be no exception. The Commission could substitute this provision with a provision which automatically nullifies any term of service under which the customer is required to waive the customer's rights under ch. PSC 165 or similar provisions. Finally, there should be no prohibition on the waiver of legal rights if a consumer chooses to waive such rights, especially in the context of the settlement of a complaint or dispute.	Agree in part. Almost identical language is currently in PSC 113, which has already undergone legislative consideration. However, an exception for business contracts under which a consumer chooses to waive legal rights has been added.
Oppressive and deceptive practices	165.0308 (2)(i)	WorldCom, Inc.	If don't delete, the rule should incorporate an exception for arbitration clauses, and for settlements with customers.	Page 16	This provision conflicts with the arbitration provisions of many providers' General Services Agreements (GSAs). Courts have repeatedly upheld the validity and enforceability of arbitration clauses.	Agree in part. Almost identical language is currently in PSC 113, which has already undergone legislative consideration. However, an exception for business contracts under which a consumer chooses to waive legal rights has been added.
Oppressive and deceptive practices	165.0308 (2)(i)	WorldCom, Inc.	Delete because is overbroad. Business service contracts routinely limit remedies.	Page 16	This provision is overbroad. Business service contracts routinely limit the availability of remedies.	Agree in part. Did not delete because this section is intended for use in egregious situations. Almost identical language is in PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative consideration. However, an exception for business contracts under which a party has chosen to waive rights has been added.
Oppressive and deceptive practices	165.0308 (2)(intro.)	SBC Ameritech	If don't delete entire section, then change "include but are not limited to" to "include".	Pg 31 matrix	The currently proposed phrase is ambiguous, creates confusion, and invites litigation.	Disagree. There is no substantive difference between the 2 wording choices. The proposed language attempts to provide some clarification and is used elsewhere in PSC and other administrative rules.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Oppressive and deceptive practices	165.0308 (g)	AT&T	Delete because there will be arguments about what is "unfair".	Page 22 -23	There will be an interminable argument as to what is "unfair" or not, since there is no standard listed as to what is or is not "unfair."	Disagree. Almost identical language is in the current PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative consideration. Further, this is intended to differentiate "taking advantage" in a positive manner from "taking advantage" in a negative manner, since the phrase can be used in both ways.
Oppressive and deceptive practices	165.0308 (h)	AT&T	Delete because is open-ended. Could always be argued that the customer "misunderstood."	Page 22 -23	The prohibition is so open-ended that it can always be argued that the customer "misunderstood."	Disagree. Almost identical language is in PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative consideration. Further, this prohibition includes a limitation by requiring that the behavior undergo a reasonability examination. Finally,
Oppressive and deceptive practices	165.0308 (i)	AT&T	Delete because will promote protracted litigation and provide disincentive for settlements.	Page 23	Prohibiting a customer from releasing or foregoing further legal action or claims of rights in settlement of a dispute will promote protracted litigation and provide a disincentive for providers to offer fair and reasonable settlements where disputes arise.	Agree in part. Almost identical language is in PSC 113 (Service Rules for Electrical Utilities), which has already undergone legislative scrutiny.
Oppressive and deceptive practices	165.0308 (i)	Charter Communications	If not deleted, revise to account for private contracting of services where such contracts are allowed.	Page 9	No justification or explanation provided.	Agree. Exception for business contracts under which a party has chosen to waive rights has been added.
Oppressive and deceptive practices	165.0308 (2)(c)	Wisconsin State Telecommunications Association	Revise language from "except as permitted by statute" to "except as permitted by law".	Page 24		Agree. Change made.
Oppressive and deceptive practices prohibited	165.0308 (2)(g)	Wisconsin State Telecommunications Association	Revise so that it reflects the representative of the telephone company has some knowledge the person lacks the knowledge or ability.	Page 24		Agree. Added language referencing "knew or should have known."
Oppressive and deceptive practices prohibited	165.0308 (2)(h)	Wisconsin State Telecommunications Association	This section is rather nebulous.	Page 25		This language was taken from the electric rules. Staff intends to utilize this section only in situations involving egregious actions by providers. We believe the language in this section is necessarily broad.



<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Preservation of records	165.0201	TDS Metrocom	Clarify the reference to "ticketing information".	Page 18	The reference to "ticketing information" is unclear.	Agree. Change made.
Preservation of records	165.0201	TDS Metrocom	The proposed record retention rules should not be applied to CLECs. The rule should be amended to require the ILEC to preserve and keep accessible to the Commission and the CLEC that portion of the records in question that relate to the ILEC's portion of the service.	Page 17	These extensive record keeping requirements could impose substantial expense on CLECs, especially when compared to ILECs, because they have existing processes to gather and store data. These would only have to be modified while CLECs would have to create new systems.  This imposes new costs when there is no history of non-performance and strong incentives exist for CLECs to do whatever is necessary to keep customers.  In addition, the data required to comply with the proposed rule may not be within the firsthand knowledge or control of the CLEC, and may require the CLEC to get it from the ILEC.	Agree in part. Applicability of individual rule sections was dealt with as part of the comments on that particular section. Any changes to this section necessitated by those decisions have been made.  Finally, this section has attempted to gather together the records requirements from various individual sections. At least some of those sections apply to CLECs under existing rules.
Preservation of records	165.0201	TDS Telecom	Reduce records retention requirements; at a minimum reduce as to small companies.	Pg. 7	Small companies will likely be forced to change their procedures and will incur costs for those changes and for storage space.	Disagree. It is important for these records to be available to the Commission. This was a number arrived at after considering the input of the industry members and the state agency members of the Industry/Public Working Group.  The applicability of individual rule sections was dealt with as part of the comments on that particular section. Any changes to this section necessitated by those decisions have been made.  Finally, this section has attempted to gather together the records requirements from various individual sections. At least some of those sections apply to small companies under existing rules.

This was a number arrived at after considering the input of the industry members and the state agency members of the Industry/Public Working Group.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Preservation of records	165.0201 (1)	WSTA	The PSC should adopt records and retention times consistent with the federal requirements, that is 18 months.	Page 5	Keeping records longer than that is burdensome and would requirement databases beyond what the companies currently have.	Disagree. There is a different statute of limitations in Wisconsin than there is in federal law.
Preservation of records	165.0201 (1)	AT&T	Decrease Answer and Connection speed records from 3 years to 1 year. Decrease Billing from 3 years to 2 years, except 18 months for switch records. Decrease Customer complaint records from 3 years to 2 years. Decrease Customer deposit balance records from 3 years to 2 years.	Page 6 and 14 - 15	Proposed periods of retention exceed current industry practices and federal requirements.  47 CFR 42.6 limits toll record retention to 18 months. 47 USC 415 limits time for bringing federal actions to 2 years.	Disagree. There is a different statute of limitations in Wisconsin than there is in federal law.  This was a number arrived at after considering the input of the industry members and the state agency members of the Industry/Public Working Group.
Preservation of records	165.0201 (1)	TDS Metrocom	Delete "The list may not be a comprehensive list of all types of records that must be kept."	Page 18	If the Commission wishes to expand the list of records that must be preserved, it should do so only by formal rulemaking.	Disagree. This sentence was included to remind readers that they may want to check the substantive portion of the rule that applies to their situation. This is especially important because when the rule is revised later, drafters may inadvertently forget to include in this list a timeline from a substantive portion of the rule. It also covers situations where, for example, the Commission orders a particular company to keep other records or to keep records for a different period of time.
Preservation of records	165.0201 (1)	WorldCom, Inc.	The 3-year time period for the retention of records pertaining to answer and connection speed, deposit balance, and customer trouble reports should be reduced to 2 years.	Page 6	As written, is excessive and onerous.  Should be less due to system capacity and storage limitations, otherwise costly enhancements will be necessary.	Disagree. This was a number arrived at after considering the input of the industry members and the state agency members of the Industry/Public Working Group.
Preservation of records	165.0201 (1) & other	Qwest	Standardize record retention period to 2 years or, at the least, no longer than the requirements at the federal level.	Pgs. 3-5	Market forces motivate carriers to service all customers. Don't unnecessarily restrain the ability of providers to perform efficiently and effectively in a marketplace.	Disagree. There is a different statute of limitations in Wisconsin than there is in federal law.  This was a number arrived at after considering the input of the industry members and the state agency members of the Industry/Public Working Group.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection changes	165.0304	AT&T	Delete.	Pages 8-9, 20	State slamming rules are unnecessary and redundant of current FCC rules.  Federal requirements are continually evolving, so providers will inevitably face conflicting and inconsistent requirements. This will be burdensome, especially to providers with multi-state operations.	Agree. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304	Charter Communications	In the event the PSC takes jurisdiction on slamming, it should do so only provided it establishes a clear and concise statement on the jurisdictional distinctions between itself and ATCP.	Page 8	There is a disconnection between the PSC's intentions in this section and the activity engaged in by ATCP today.  Failure to clarify would create confusion for both providers and customers as to which agency is responsible for resolving PIC change disputes.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304	Charter Communications	If the PSC assumes responsibility for jurisdiction in this area, it should wholly adopt the complaint filing and investigation procedures used by the FCC today.	Page 8	FCC procedures provide a reasonable and fair way to determine whether a slamming complaint is legitimate and provides a means to efficiently and fairly resolve such disputes.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304	SBC Ameritech	Add a new subsection to PSC 165.0304 requiring that a submitting provider should submit change orders within 60 days of obtaining authorization from a subscriber.	Matrix Page 27	To be consistent with the federal requirements in 47 C.F.R. section 64.130 (i).  As competition increases, customers will change providers more often. Limiting the time to submit changes will protect customers from "stale" orders that are no longer consistent with the consumer's choice.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!

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Provider selection changes	165.0304	TDS Telecom	Not opposed as long as state requirements are completely consistent with FCC requirements. Change so completely consistent.	Pg. 8-9		Agree. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304	Time Warner Telecom of Wisconsin, L.P.	Supports process outlined to prevent slamming and cramming.	Pg 15		Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304	WorldCom, Inc.	Adding this section is one of only 3 times where the existing rules should be changed.	Pg. 13		Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304	WSTA	Do not require a customer who wants to add a vertical service, such as Caller ID, to go through this process.	Page 8	This appears necessary since (2)(b) says have to do separate authorization for each service sold, and that each in a bundled offering is a separate service.) Experience tells WSTA that customers won't appreciate having to prove that they want to upgrade service.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (1)(e)	TDS Metrocom	Delete this definition if delete section on provider selection freezes.	Page 26	Provider selection freezes should not be necessary if requirements for provider selection changes are in force.	Agree. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection changes	165.0304 (2)(b)	TDS Metrocom	Revise to eliminate the requirement that a provider obtain separate authorization from the customer where the provider is selling more than one type of telecommunications service and for separate verification of each authorization. Also eliminate section saying each thing in a bundled offering is a separate service.	Pages 26-27	Fails to recognize those providers that provide packages of telecommunications services.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (2)(b)	WorldCom, Inc.	The words "and international toll" should be deleted.	Page 13	There is no separate international provider selection. International calls are made via the interLATA provider selection.	Agree in part. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (2)(c)	TDS Metrocom	Clarify. It is unclear whether the "confirmation" contemplated is the same as "verification" discussed in the previous paragraph (b).	Page 27	For clarification.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (2)(c)2.	Qwest	Eliminate requirement that telephonic authorization for PIC change be made from telephone number on which provider is to be changed.		This overly restricts the consumer's ability to do changes, especially in light of existing safeguards. This discourages customers from taking advantage of competitive choices. Burdensome to customers since they would, for example, have to call from each phone line in a multi-line household in order to switch the household to a new provider. Companies have their own safeguards in place too, providing additional protection.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection changes	165.0304 (2)(c)2.	Verizon	Change so that customers can place a telephonic carrier change request from any location and not just the telephone number on which the provider is being changed.  If do that, also remove requirement to automatically record originating number ID.	Page 10-11	(See Verizon comments for suggested language)  The proposed rule unnecessarily burdens customers by requiring them to place carrier change orders from the phone line actually affected by the carrier change requests.  The verification procedures already required by law provide customers with ample protection against unauthorized carrier changes without creating inconvenience.  The FCC has waived this in at least one instance (DA 99-1548)	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (2)(c)3.b.	AT&T	Consider deleting this requirement that the new provider drop off the order verification call. At a minimum, monitor FCC proceeding and track federal requirements.	Page 20	A petition is currently pending before the FCC to eliminate the "drop-off" requirement.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (2)(c)3.c	WorldCom, Inc.	Delete the requirement that the verification method must identify the "names of the providers affected".  If not deleted, limit the requirement to identifying the new provider only.	Page 13	The new provider will not reliably and consistently have this information regarding the former provider.	Agree in part. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (2)(c)3.c.	AT&T	Delete provision requiring third-party verifiers to obtain the name of the providers affected by a carrier change. At a minimum, monitor the FCC proceeding and track federal requirements.	Page 20	A petition is currently pending before the FCC to eliminate this requirement.  Requiring a customer to name his/her current provider serves no purpose. It is not required to satisfy the letter of agency requirement.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection changes	165.0304 (2)(c)3.c.	Verizon	Delete last sentence prohibiting third party verifiers from marketing the provider's services by providing additional information regarding provider services, in  Change so "names" and "providers" are not plurals. Change "telephone number" so it is plural.  Change	Page 11	Change suggested as clarifying language.	Agree in part. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (3)(a)(2)	WorldCom, Inc.	Delete "and to return the customer to his or her properly authorized provider."	Page 14	Providers cannot return the customer to his or her previous provider, but only refer to new carrier or to LEC (which then implements the change).	Agree in part. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (3)(a)2	SBC Ameritech	Change the language from "unauthorized provider" to "allegedly unauthorized provider". Remove superfluous "properly".	Matrix Page 27	SBC Ameritech's understanding of the intent of the FCC rules on slamming is that customers are to be made whole at the allegation of a slam, including the charges they incurred to be moved to the allegedly unauthorized provider and to be returned to their authorized provider.  The FCC and the proposed Wisconsin slamming rules protect allegedly unauthorized providers by giving the alleged unauthorized provider the ability to re-bill any charges to the customer for changing and returning should the customer decide not to file a complaint or if it has been determined by the FCC or State Commission that an unauthorized change did not occur.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!

<i><b>Topic</b></i>	<i><b>Old rule section</b></i>	<i><b>Company</b></i>	<i><b>Suggestion/comment</b></i>	<i><b>Location</b></i>	<i><b>Reason for comment</b></i>	<i><b>Response</b></i>
Provider selection changes	165.0304 (3)(b) 1	TDS Metrocom	Revise to absolve the customer of all liability for charges imposed by the unauthorized provider until the customer is switched back to the authorized provider.	Page 27	As written, this is an overly complicated process of changing payment obligations to both providers depending on the number of days elapsed, and would require the customer to attempt to calculate rates and payments.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (4)	SBC Ameritech	There should be a 30 day limitation for the charges an allegedly unauthorized provider is required to remove.	Matrix page 27	This limitation would be consistent with the federal rule (64.1160(b). The limitation encourages consumers to become more vigilant in detecting slamming by giving them incentive to review their telephone bills carefully.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (4)(d)	Verizon	Add "for the first 30 days after the slam..."	Page 11	To make the section consistent with FCC requirements (64.1150(c)) and PSC 165.0304(5)(e).	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (4)(d)	WorldCom, Inc.	Revise to limit the removal of charges to the first 30 days following the unauthorized charge.	Page 14	Thirty days is consistent with the FCC's requirement and other parts of the proposed rule.  Reduces the incentive for the customer to claim a slam in order to obtain free service.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (4)(e)	TDS Metrocom	Should be revised to clarify that the "valid proof of verification" is that set forth in subsection (2) of proposed PSC 165.0304.	Page 27	To clarify.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (4)(e)	TDS Metrocom	Delete requirement for "clear and convincing evidence of a valid authorized provider change."	Pg 27	If the procedure set forth in subsection (2) is followed, there should be no need for "clear and convincing evidence of a valid authorized provider change."	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!



<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection changes	165.0304 (5)(a)	TDS Metrocom	Revise to be consistent with the suggested revisions to subsection (3)(b)1 to make subsection (5) applicable only where a customer has not paid charges to an allegedly unauthorized provider for service provided after the allegedly unauthorized change occurred.	Pages 27-28	For consistency with other suggested changes.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (5)(c)	TDS Metrocom	Should state that if the provider selection change was made pursuant to the procedure set forth in subsection (2), it is authorized and the provider may reinstate any absolved charges on the next bill.  Paragraphs (d) and (h) should be eliminated so as not to make the process more complex, time consuming, and expensive than it needs to be.	Page 28	So process is not more complex, time consuming and expensive than necessary.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (5)(e)	Verizon	Add language to clarify who may appeal a determination to the Commission and the process to make such appeal.	Page 12	For clarification.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (5)(h)	Verizon	Add language to clarify who may appeal a determination to the Commission and the process to make such appeal.	Page 12	For clarification.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!

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Provider selection changes	165.0304 (6)(b)	TDS Metrocom	Revise to add the requirement that the unauthorized provider must forward the listed items to the authorized provider within 10 days.	Page 28		Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (6)(b)	Verizon	Add language to clarify who may appeal a determination to the Commission and the process to make such appeal.	Page 12	For clarification.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (6)(b) 1	TDS Metrocom	This section should require the unauthorized provider to forward an amount equal to fifty percent (50%) - not one hundred fifty percent (150%) or all charges paid by the customer to the unauthorized provider.	Page 28		Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (6)(c)	TDS Metrocom	If (6)(b) is changed to 50% as suggested, revise this to require the unauthorized provider to provide a refund to the customer, within ten days of receipt of the determination of the Commission staff, in the amount all charges paid by the customer to the unauthorized provider. Eliminate rest of (c).	Page 28	The unauthorized provider should not have the option of providing a credit to the customer instead of a refund where the customer would not be able to take advantage of a credit with a provider of which it is not a customer.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (6)(d) & (e)	TDS Metrocom	Eliminate.	Page 29	To simplify.	Agree in part. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection changes	165.0304 (d)	TDS Metrocom	Delete.	Pg 28	So that the process is not more complex, time consuming and expensive than it needs to be.	Agree in part. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!
Provider selection changes	165.0304 (h)	TDS Metrocom	Delete.	Pg 28	So that the process is not more complex, time consuming and expensive than it needs to be.	Agree in part. Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT THEY ARE SUBJECT TO SLAMMING RULES!

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Provider selection freezes	165.0305	AT&T	Delete section. Anti-competitive.	Page 20 - 22	<p>Local carrier freezes are incompatible with the development of effective local exchange competition. The FCC stated that "Where no or little competition exists, there is no real opportunity for slamming and the benefit to consumers from the availability of freezes is significantly reduced... and that aggressive freeze practices under such conditions appear unnecessary and raise the prospect of anti-competitive behavior.</p> <p>LECs may use provider selection freeze programs as a means to inhibit customers to switch to another local provider.</p> <p>There has been no showing that local service slamming is a problem in WI.</p> <p>AT&amp;T strongly opposes local carrier freezes, at least until local competition has reached a robust level. Any potential benefit is clearly outweighed by its potential to inhibit competition.</p> <p>Resulting delays may be anti-competitive as well.</p> <p>This requires having the customer contact existing carrier to lift the freeze before changing carriers. ILEC has the incentive to retain the customer, including through burdening ability to change providers.</p> <p>FCC allows states to adopt moratoria on imposition/solicitation of intrastate freezes if it deems it's appropriate in order to prevent ILECs from engaging in anti-competitive behavior. Montana, Nebraska and Minnesota have,</p>	<p>Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!</p>

Topic	Old rule section	Company	Suggestion/comment	Location	Reason for comment	Response
Provider selection freezes	165.0305	CUB	If allow PIC freezes, do not allow ILECs to charge for a PIC freeze.	Page 1	finding unproven need for it was outweighed by the state's interest in promoting robust competition.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305	CUB	Prohibit PIC freezes	Page 1	May lead to ILECs creating and exploiting customer fears and confusion, thereby suppressing competition.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305	TDS Metrocom	Delete entire section.	Page 29	It is unnecessary in light of the provider selection change requirements. It is anti-competitive to add regulations that make it burdensome and complicated to change providers. If it is too difficult to change providers, people will stay with the ILEC, thus locking in the current monopoly. There has been no evidence of local slamming- not counting instances of "buyer's remorse."	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305	TDS Telecom	Not opposed as long as state requirements are completely consistent with FCC requirements. Change so completely consistent.	Pg 8-9	Shouldn't have to follow 2 different sets of rules.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection freezes	165.0305	Time Warner Telecom of Wisconsin, L.P.	Revise to limit the application of this section to toll services.	Page 15-17	ILECs, particularly Ameritech, have used local PIC freezes in an anticompetitive manner, despite regulatory safeguards.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305	WorldCom, Inc.	Adding this section is one of only 3 times where the existing rules should be changed.	Pg. 3	The Michigan Commission found that if an ILEC can convince its customers to freeze their local service, the process is subject to abuse by the ILEC.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (1)(b)	SBC Ameritech	Revise the definition of "provider selection freeze" to add that directive from customer may also be to retain provider until s/he instructs provider to no longer observe his/her freeze directive, regardless of whether s/he is changing providers.	Matrix page 28	To be consistent with FCC rules on provider selection freezes. (47 C.F.R. s. 64.1190(a))	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (3)(a)	SBC Ameritech	Remove interLATA/interstate toll and international toll. In last sentence, make service plural and add "of these".	Matrix page 28	To clarify that the services referred to in this section are limited to local toll, not interstate/interLATA/international toll, which are regulated by the FCC rather than the Commission.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (3)(a)	WorldCom, Inc.	The word "local" should be deleted from this section. In addition, the rules should clarify that freezes do not apply to local service.	Page 14-15	WorldCom opposes local provider selection freezes while local competition is still emerging. This locks in the monopoly provider and adds a layer of difficulty for customers trying to change providers, thereby hindering competition.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection freezes	165.0305 (3)(a)	WorldCom, Inc.	The words "international toll" should be deleted.	Page 14	There is no separate international provider selection and, therefore, there can be no separate international provider selection freeze.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (3)(a)	SBC Ameritech	Change e.g. to i.e. to make it clear that the services listed are an exhaustive, not merely illustrative list.	Matrix page 28	There is no justification to include any other services in the list than those that remain after SBC Ameritech's proposed changes	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (4)(b)2.	Verizon	Change so that customers can place a telephonic provider selection freeze request from any location other than the telephone number on which the provider selection freeze is being requested.	Page 12	The proposed rule unnecessarily burdens customers by requiring them to place carrier freezes from the phone line actually affected by the freeze requests.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (5)	TDS Telecom	As a result, must also remove requirement to automatically record originating number ID.  Change so just notify customers that freezes are available and provide contact number.	Pg 8-9	The verification procedures already required by law provide customers with ample protection without creating inconvenience.  Burdensome, especially as would require systems changes.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (5)	Verizon	Delete requirement for written explanation and confirmation of provider selection freeze.	Page 12	Subparts (a) and (b) should be deleted because the FCC does not require these steps to be completed. Rule language should be consistent with FCC rules.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Provider selection freezes	165.0305 (5)	Verizon	Only require that information on freeze be sent to customers once a year rather than twice a year.	Pg. 12	The suggested change from twice per year to annually is suggested because customers have not requested more frequent notification.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (5)	WorldCom, Inc.	Delete.	Page 15	These notice requirements following a verified freeze selection are unnecessary, burdensome and inconsistent with FCC requirements.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (5)(c)	AT&T	Delete requirement to inform customers that a freeze is in place. If retained, modify to include an explanation on how to lift the freeze.	Page 22	Provision is potentially anti-competitive as it requires customer to stay with the "frozer" provider instead of allowing consideration of competitors.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Provider selection freezes	165.0305 (6)	WorldCom, Inc.	Suggest adding (c) any other method approved by the Commission.	Page 15	Language should be consistent with FCC rules. The delineation of the listed methods should not prohibit additional methods of lifting a provider selection freeze, such as the electronic authorization method currently being implemented through a pilot program in the Ameritech states, or any other method that may be developed as the industry evolves.	Deleted this section since the FCC has held that its rules apply to local and intrastate toll in addition to interstate toll. THEREFORE, IT IS IMPORTANT FOR PROVIDERS TO UNDERSTAND THAT THE DELETION OF THIS PORTION OF THE PROPOSED RULE DOES NOT CHANGE THE FACT THAT IF THEY OFFER FREEZES, THEY ARE SUBJECT TO THE FEDERAL FREEZES RULE!
Refusal of service	165.0501	AT&T	Revise to apply only to residential customers.	Page 25 - 26	No reason given.	Disagree. Residential and small business customers need the protections provided in this section.



<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Refusal of service	165.0501	Charter Communications	Delete this entire section.	Page 12	The detailed requirements of this section will serve to dramatically increase the cost of doing business in the WI market.  Will the added cost of this provision, applied to all customers, really benefit customers?  This is another example of micro-management.	Disagree. It is important to standardize provider practices with regard to refusal of service. Much of the language in this section is in the current rules under PSC 165.052 Disconnection and refusal of service. Applicability will be changed so that CLECs can consider a customer's full credit history upon application for service.
Refusal of service	165.0501	Powercom	Limit application of this subchapter to large telcos.	Page 2	Rigid procedures represent an administrative nightmare.  Would impose unreasonable requirements and restrictions that threaten the existence of small to medium-sized telcos.	Disagree. For the most part, the proposed language in this new section codifies current provider practices.
Refusal of service	165.0501	TDS Metrocom	The rules related to disconnection and the rules related to denial of service should be treated in separate sections .	Page 12	The standards for these need not and, in fact, should not be the same.	This rule already has these two issues in different sections (165.0501 and 165.0503).

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Refusal of service	165.0501 (1)	AT&T	Add provision to allow provider to consider customer's full payment or credit history.	Pgs. 10-11	Providers should be able to refuse service if previous debts were paid only after extensive and prolonged collection efforts.	Agree. Change made to allow CLECs to consider a customer's full payment or credit history.
					Should acknowledge that a decision to offer service involves offering credit to the customer and that providers should be allowed to verify customer's credit with a credit bureau.	
					The proposed rule doesn't allow a provider to consider a customer's full payment or credit history, i.e., wouldn't allow refusal if a provider had written off a customer's previous arrearage.	
					By arbitrarily barring providers from considering relevant credit and payment information, the rule ignores market realities.	
					Neither providers, or customers who pay their bill on time, should be forced to subsidize the cost of providing service to customers who have a history of non-payment.	
Refusal of service	165.0501 (1)	TDS Metrocom	This provision should apply only to ILECs and ETCs.	Page 42	A CLEC should not have carrier of last resort-type obligations with respect to local service.	Agree. Change made.

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Refusal of service	165.0501 (1)	Time Warner Telecom of Wisconsin, L.P.	Add language to clarify that certain provisions of the proposed rule do not apply to CLECs or modify the rule to make clear that CLECs do not have a "carrier of last resort" obligation.	Page 11 - 12	This section does not specifically allow a CLEC to refuse service when the service isn't in the CLEC's service area, if the service is a type of service not offered by the CLEC or would require the use of facilities or services not available to the CLEC.	Agree. Change made.
Refusal of service	165.0501 (1)	WorldCom, Inc.	Revise so that CLECs are not required to offer a DPA and may disconnect for nonpayment of a past account.	Page 25	Imposing a "carrier of last resort" obligation or the obligation to serve any customer requesting service, regardless of whether a provider is providing service in that area or has facilities, would stop the development of competition.	Agree. Change made.
Refusal of service	165.0501 (1)	WSTA	This section would be clearer if the phrase "service may only be refused" were replaced with "service may be refused only."	Page 12	Competitive business service providers should be allowed to refuse service to any customer who has failed to pay that provider for any services received in the past.	Disagree. The suggested change would limit providers from refusing service if more than one of the reasons was present.
Refusal of service	165.0501 (1)(a)	SBC Ameritech	Add language to allow refusal of service if a customer was disconnected for defaulting on a DPA.	Matrix pages 48-49	Language is awkward.	Disagree. Providers are not required to offer additional DPAs prior to disconnection, but once a customer is disconnected from service, the customer should be allowed to have a DPA to reestablish service. Providers are not prevented from requesting progressively higher initial payments on subsequent DPAs when customers default on a DPA and are disconnected from service. Providers may also request a deposit and/or restrict service while the arrearage is being paid.
Refusal of service	165.0501 (2)	AT&T	Prohibitions in this section should only apply to ILECs and not CLECs.	Page 26	Providers should not be forced to furnish customers unlimited deferred payment arrangements when they default on prior arrangements.	Agree. Change made so this section applies only to ILECs and ETCs.

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Refusal of service	165.0501 (2)(a)	AT&T	Delete this provision. Provider should have the option of writing off bad debts when time and expense of collection exceeds the amount to be collected.	Page 26	Provider should have the option of writing off bad debts when time and expense of collection exceeds the amount to be collected. The provider shouldn't be penalized if, after writing off the debt, they take no further collection efforts.	Disagree. The language in this section does not prevent collection of these debts, but prohibits refusal of service if the provider hasn't taken collection action on the debt within the past 6 months. As soon as the customer receives written notice of the debt, the notice would be considered a collection effort and service can be refused on that basis if the customer fails to make payment or payment arrangements on the amount owing. The provider is also able to restrict the customer's service.
Refusal of service	165.0501 (2)(a)	Verizon	Delete this provision. The fact that a provider may not have taken steps to collect on a particular bill within the last 6 months is no indication the customer does not owe the debt.	Page 25	The fact that a provider may not have taken steps to collect on a particular bill within the last 6 months is no indication the customer does not owe the debt. Unless the statute of limitation has run, such charges are due and payable and new service should not be provisioned until they are paid.	Agree in part. The language in this section does not prevent collection of these debts, but prohibits refusal of service if the provider hasn't taken collection action on the debt within the past 6 months. Customers are entitled to written notice of a bill from a prior account that may be several years old, and are entitled to sufficient time to dispute or make payment arrangements on a bill from a prior account. As soon as the customer receives written notice of the debt, the notice would be considered a collection effort and service can be refused on that basis if the customer fails to make payment or payment arrangements on the amount owing. The provider is also able to restrict the customer's service.
Refusal of service	165.0501 (2)(a)	WSTA	A longer period of inaction is needed, especially if the account has been referred to a collection agency.	Page 12	This section would effectively dismiss delinquent accounts after six months of no collection efforts.	Disagree. The language in this section does not prevent collection of these debts, but prohibits refusal of service if the provider hasn't taken collection action on the debt within the past 6 months. As soon as the customer receives written notice of the debt, the notice would be considered a collection effort and service can be refused on that basis if the customer fails to make payment or payment arrangements on the amount owing. The provider is also able to restrict the customer's service.
Refusal of service	165.0501 (2)(c)	AT&T	Delete this provision. he provider should be allowed to consider whether or not the customer satisfied his or her commitment to guarantee payments for service to another customer when deciding whether to refuse service.	Page 25	The provider should be allowed to consider whether or not the customer satisfied his or her commitment to guarantee payments for service to another customer when deciding whether to refuse service..	Disagree. This is existing language in PSC 165.052 Disconnection and refusal of service. There are other remedies available to address the guarantor's failure to honor the guarantee.

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Refusal of service	165.0501 (2)(e)	AT&T	Delete the provision prohibiting a provider from refusing service for failure to pay for a different class of service.	Page 26	Prohibiting a provider from refusing service for failure to pay for a different class of service is contrary to a competitive environment. Providers should not be forced to provide new service of any sort until the customer has paid or made arrangements to pay existing debts owed to the provider.	Disagree. It is important to protect residential service, and this provision accomplishes that. Refusing one class of service for failure to pay for a different class of service is punitive and unrelated to collection of the debt. This provision prevents providers from using "provision of service" as a collection tool. Providers may require the customer to make a DPA for an unpaid residential account and may collect an unpaid business account through a collection agency or a court action. Additionally, this prohibition is consistent with electric, gas and water rules.
Refusal of service	165.0501 (2)(e)	TDS Metrocom	Delete the provision prohibiting a provider from refusing service for failure to pay for a different class of service.	Page 42	A provider should be able to refuse service for an applicant's failure to pay for a different class of service.	Disagree. It is important to protect residential service, and this provision accomplishes that. Refusing one service for failure to pay for a different class of service is punitive and unrelated to collection of the debt. This provision prevents providers from using "provision of service" as a collection tool. Providers may require the customer to make a DPA for an unpaid residential account and may collect an unpaid business account through a collection agency or a court action. Additionally, this prohibition is consistent with electric, gas and water rules.
Refusal of service	165.0501 (2)(e)	WSTA	The term "failure to pay for a different class of service" should be defined in the rule, i.e., residential or business.	Page 12		Disagree. "Class of service" is defined in PSC 165.0102(7).
Refusal of service	165.0501 (2)(e)	WSTA	Delete the provision prohibiting disconnection for failure to pay for a different class of service.	Page 12	The class distinction may be appropriate for disconnection of service, but not for refusal of service.  If a person with an outstanding balance for residential service is able to establish service for an alleged business, the customer is less likely to ever pay the bill for residential service.	Disagree. It is important to protect residential service, and this provision accomplishes that. Refusing one service for failure to pay for a different class of service is punitive and unrelated to collection of the debt. This provision prevents providers from using "provision of service" as a collection tool. Providers may require the customer to make a DPA for an unpaid residential account and may collect an unpaid business account through a collection agency or a court action. Additionally, this prohibition is consistent with electric, gas and water rules.

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Refusal of service	165.0501 (2)(f)	AT&T	Delete the provision prohibiting a provider from refusing service for failure to pay for delinquent ECC charges.	Page 26	Prohibiting a provider from refusing service for failure to pay for delinquent ECC charges is contrary to a competitive environment. Providers should not be forced to provide new service of any sort until the customer has paid or made arrangements to pay existing debts owed to the provider.	Agree. Change made.
Refusal of service	165.0501 (2)(f)	Chibardun Telephone and CTC Telcom	Allow telcos to refuse service for non-payment of ECC charges.	Page 4	This is contrary to what the Commission allowed when ECC was implemented.	Agree. Change made.
Refusal of service	165.0501 (2)(f)	Northeast Telephone Company	Delete provision prohibiting telcos from refusing service for non-payment of ECC charges.	Page 6	When the PSC implemented ECC, ECC was considered to be local service.	Agree. Change made.
Refusal of service	165.0501 (2)(f)	Verizon	Delete the provision prohibiting a provider from refusing service for failure to pay for delinquent ECC charges.	Page 25	ECC is statutorily defined as basic local exchange service and should be a deniable charge.  Customers should pay legitimately billed charges of all sorts before they are allowed to get new service.	Agree. Change made.
Refusal of service	165.0501 (2)(f)	Wisconsin State Telecommunications Association	Disagrees with the provision prohibiting refusal for non-payment of ECC charges, since ECC charges are considered local service charges.	Page 32-33		Agree. Provision deleted.
Refusal of service	165.0501 (2)(f)	WSTA	Allow telcos to refuse service for non-payment of ECC calls.	Page 12	The inclusion of "failure to pay delinquent extended community calling (ECC) charges" as a prohibition against refusal conflicts with the longstanding classification of ECC calls as local calls.	Agree. Change made.
Refusal of service	165.0501 (2)(g)	Verizon	If this provision is not deleted, revise to allow a toll block to be imposed as a condition of new service regardless of who the toll provider was on the previous bill.	Page 25	Customer should pay legitimately billed charges of all sorts before they are allowed to get new service.	Disagree. It is inappropriate to impose a toll restriction or to refuse service altogether because of amounts owing on another provider's bill. Providers can impose a toll block as a condition of new service if the customer owes the provider for toll charges.

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Refusal of service	165.0501 (2)(g)	Verizon	Delete this provision. A toll block should be allowed regardless of who the toll provider was on the previous bill.	Page 25	Providers should be able to put a toll block on the new service regardless of who the toll provider was on the previous bill.	Disagree. It is inappropriate to impose a toll restriction or to refuse service altogether because of amounts owing on another provider's bill. Providers can impose a toll block as a condition of new service if the customer owes the provider for toll charges.
Refusal of service	165.0501 (2)(g)	WSTA	This subsection does not address the issue of the toll provider being an affiliate of the provider.	Page 12	No reason given.	Agree. Change made.
Refusal of service	165.0501 (2)(i)	TDS Metrocom	Should not apply to CLECs.	Page 42	A provider other than an ILEC or an ETC should be permitted to refuse service to an applicant while the provider is investigating and establishing the applicant's responsibility for any outstanding bill from the provider.	Agree in part. It is important to standardize provider practices with regard to refusal of service. However, applicability was changed so that CLECs can consider a customer's full credit history upon application for service.
Refusal of service	165.0501 (2)(i)	TDS Metrocom	Revise so that no additional notice is required.	Page 42	Need clarification so that if the provider previously had given notice of the delinquent bill, no additional notice need be given at the time of the subsequent application.	Disagree. Customers are entitled to written notice of a bill from a prior account that may be several years old, and are entitled to sufficient time to dispute or make payment arrangements on a bill from a prior account. Deleted requirement to provide deniable/non-deniable detail regarding the prior bill.
Refusal of service	165.0501 (2)(i)4.	AT&T	Revise so that breaking down amount owed on a prior bill into deniable and non-deniable charges is not required.	Page 25 - 26	This section contradicts 165.0501 (1)(a) and involves needless and costly work.	Agree. Change made.
Restriction of service	165.0502	Charter Communications	Delete this section.	Page 12	The detailed requirements of this section will serve to dramatically increase the cost of doing business in the WI market.  Will the added cost of this provision, applied to all customers, really benefit customers?  This is another example of micro-management.	Disagree. Without this section, providers could not impose service restrictions. Restriction of service is a powerful tool and is something industry requested and has worked with the Commission to develop. A provision in the voluntary service restriction section requires providers to activate requested service blocks only "if it is technically feasible to restrict the specific service and will not present an unreasonable economic burden." The provisions in the involuntary service restriction section are voluntary for all providers.

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Restriction of service	165.0502	Powercom	Limit application of this subchapter to large telcos.	Page 2	Rigid procedures represent an administrative nightmare.	Disagree. Without this section, small telcos could not impose service restrictions. Restriction of service is a powerful tool and is something industry requested and has worked with the Commission to develop. A provision in the voluntary service restriction section requires providers to activate requested service blocks only "if it is technically feasible to restrict the specific service and will not present an unreasonable economic burden." The provisions in the involuntary service restriction section are voluntary for all providers.
Restriction of service	165.0502	WorldCom, Inc.	This section should be clarified to state that it does not independently obligate the provider to provide service simply because a customer is willing to accept restrictions, if it is otherwise entitled to refuse service.	Page 25	No reason given.	Agree. Language clarified.
Restriction of service	165.0502 (2)(d)	TDS Metrocom	Revise to eliminate the requirement that a provider's written, non-discriminatory policy be acceptable to the Commission.	Page 42	This implies some kind of Commission approval process for which there are no procedures or standards set forth and which would create an additional regulatory requirement for providers.	Agree. Use of "acceptable" was intended to imply no formal Commission action was necessary. Due to concerns, the language has been removed.
Restriction of service	165.0502 (3)	SBC Ameritech	Revise or add language to include situations involving fraud. Providers should be allowed to restrict the account when fraudulent or unauthorized use of the service is detected.	Matrix page 49-50	Providers need to be able to limit losses.	Agree in part. Change made so that full service is available until fraud or unauthorized use is substantiated.
Restriction of service	165.0502 (3)(a)	TDS Metrocom	Revise to permit providers other than LECs or ETCs to impose service restrictions on an applicant or customer based on the creditworthiness of an applicant or customer.	Page 43	At a bare minimum a CLEC should be able to restrict service any time a customer has a credit problem. There is no justification for requiring a CLEC to provide universal-and potentially free- access to optional features and services when the CLEC has reason to believe it may not be paid for the service.	Disagree. The proposed rule was revised so that CLECs can determine a customer's creditworthiness prior to offering service. It would be unfair to allow CLECs the ability to restrict service later because the provider failed to verify the customer's credit worthiness before granting service.



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Restriction of service	165.0502 (3)(a)	Verizon	Wants confirmation that Verizon's ACM program would still be allowed under the new proposed rules.	Page 26	This program is a benefit to customers as it helps them to control toll charges and permits them to continue service.	A waiver would be required in order to continue Verizon's ACM program. This will be dealt with in the rule making order or an accompanying order.
Restriction of service	165.0502 (3)(a)	WorldCom, Inc.	Add after (8) as the new (9), to prevent fraud to the customer and provider. This addition is necessary so the provider can prevent fraud in high toll and toll fraud situations.	Page 25	This addition is necessary so the provider can prevent fraud in high toll and toll fraud situations.	Disagree. It would be difficult to establish what level of change in a customer's usage pattern is an indicator of potential fraud. This was tried in a pilot by SBC Ameritech and was found to be unworkable in practice.
Restriction of service	165.0502 (3)(a)(2)	SBC Ameritech	Revise to include deposits as well as DPAs.	Matrix pages 49-50	Providers should have the right to restrict the account while the deposit is being paid in installments.	Agree. Deleted the requirement allowing deposits to be paid in installments and added language allowing providers to impose restricted service while the deposit is being paid.
Restriction of service	165.0502 (3)(a)(9)	Verizon	Revise by adding including, but not limited to, "fraud."	Page 26	To allow for suspension of service immediately for accounts that are deemed fraudulent after investigation.	Agree in part. This was tried in a pilot by SBC Ameritech and was found to be unworkable in practice because it is difficult to establish what level of change in a customer's usage pattern is an indicator of potential fraud. Change made to allow restriction of service when fraud or unauthorized use is substantiated.
Restriction of service	165.0502 (3)(b)	SBC Ameritech	The rule section stating that a provider shall impose restricted service related to only the service or usage that is causing bill paying problems should be deleted.	Matrix page 49-50	The burden and cost of this requirement would far exceed the benefit of this requirement. Enormous system requirements would be necessary.	Agree in part. Language in the proposed rule was drafted to prevent the blocking of unrelated services when only one service is causing a payment problem. For example, if a customer has unpaid usage because of calls to 900-976 numbers, that customer's toll service shouldn't be restricted if toll wasn't the cause of the high usage and large bill. Change made to allow blocking of related services, i.e., toll, calling card and collect calls, without blocking unrelated services such as ECC or directory assistance calls.

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Restriction of service	165.0502 (3)(b)	TDS Metrocom	Delete. A provider should not be limited to imposing service restrictions related only to the service or usage that is causing bill paying problems.	Page 43	A provider should not be limited to imposing service restrictions related only to the service or usage that is causing bill paying problems.	Agree in part. Language in the proposed rule was drafted to prevent the blocking of unrelated services when only one service is causing a payment problem. For example, if a customer has unpaid usage because of calls to 900-976 numbers, that customer's toll service shouldn't be restricted if toll wasn't the cause of the high usage and large bill. Change made to allow blocking of related services, i.e., toll, calling card and collect calls, without blocking unrelated services such as ECC or directory assistance calls.
Restriction of service	165.0502 (3)(c) - (e)	WorldCom, Inc.	The time requirements for notifying customers of restrictions and for removing restrictions should be eliminated and replaced with "as soon as commercially practicable."	Page 25	Time constraints as set forth in the rules are artificial.	Agree in part. Although "as soon as commercially practicable" is too vague, language was changed to reflect this concern.
Restriction of service	165.0502 (3)(d)	SBC Ameritech	Providers should be allowed to send notice prior to adding the involuntary restriction.	Matrix page 49-50	This allows the customer the opportunity to correct the situation. This is SBC/Ameritech's current policy.	Agree. Current proposed language provides flexibility as to when the customer is notified by stating "within one business day of activation." The one day could be before or after the activation of the block. However, revised language to clarify this.
Restriction of service	165.0502 (3)(e)	AT&T	Delete two business day time limit for removing service restrictions for CLECS.	Page 26	Removal of the restriction by a CLEC or an IXC may be dependent upon the ILEC's technicians.	Agree. Change made.
Restriction of service	165.0502 (3)(e)	TDS Metrocom	Revise to allow providers ten business days, instead of two service restrictions when problems causing the restrictions have been corrected.	Page 43	Two business days is an insufficient period of time to process the changes.	Agree in part. Change made to acknowledge that the two days begins when the provider becomes aware that the problems causing the restrictions have been corrected.

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Restriction of service	165.0502 (3)(f)	AT&T	Providers should be permitted to charge for the cost of the deactivation of an involuntary service restriction.	Page 26	No reason given.	Disagree. Current language in PSC 160.04(2) prohibits providers from charging low-income customers for service blocks, regardless of whether the block is at the customer's request or involuntarily imposed under an approved TelCAP plan. Deactivation of a service block is an integral part of blocking, and charging for this service would continue to be prohibited. Since the provider is not allowed to charge for involuntarily restricting a low-income customer, it should not be able to charge to return that customer to unrestricted service. Additionally, because the purpose of the block is to restrict the customer's usage and thereby limit possible future uncollectibles for the provider, it does not seem reasonable to access a charge for this service, regardless of the customer's income status.
Restriction of service	165.0502 (4)(c)	SBC Ameritech	Providers should be allowed to charge for blocking.	Matrix page 50	Blocking is a cost-causing service	Agree in part. Service blocks are a valuable tool to help providers limit uncollectibles. However, no evidence has been presented to the Commission to show that activation and deactivation of service blocks causes providers to incur unreasonable costs. Additionally, current language in PSC 160.04(2) and this rule allows providers to charge non-low income customers for second and subsequent voluntary service blocks.
Restriction of service	165.0502 (4)(c)	WSTA	Activating and deactivating voluntary service restrictions for low-income customers without assessing a recurring or nonrecurring charge will encourage such action. Customers should be limited to one or two activations/deactivations per year.	Page 12		Disagree. Current language in PSC 160.04(2) prohibits providers from charging low-income customers for activating service blocks. No evidence has been presented to the Commission to show that low-income customers have abused the activation/deactivation of voluntary service blocks.
Restriction of service	165.0502 (5)	AT&T	Revise to recognize a provider's ability to meet the two-day deadline for activation of a service restriction may depend on the actions of the ILEC controlling the underlying facility.	Page 26	A provider should not lose the ability to recover a legitimate cost because of the action or non-action of the ILEC.	Agree. Change made.

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Restriction of service	165.0502 (5)	SBC Ameritech	Eliminate this requirement. Providers can never guarantee that blocks will be 100% effective.	Matrix page 50	Providers can never guarantee that blocks will be 100% effective. For e.g. customers could use a calling card or other means to make a toll call even if the account is toll restricted.	Agree in part. Change made to address circumstances where a customer's intentional deception circumvents the block.
Schedules to be filed with the Commission	165.0203	TDS Metrocom	Revise to clarify that the rules applicable to schedules filed with the Commission apply only if a provider is required to file a tariff.	Page 18	The current proposed rule would obliterate any meaningful distinction between providers who are not required to file tariffs and those that are required to file tariffs.	This is a technical standard not addressed in this rulemaking.
Technical sections	165.0203	AT&T	This section should apply only to ILECs.	Page 15	Since AT&T does not have exchange areas or wire centers.	Comments refer to a technical section of the rule that is not part of 1-AC-184.
Technical sections	165.0602	AT&T	CLECs should be given the option to have records available rather than to make them open an office for this purpose.	Page 29	AT&T's records are centrally located but can be produced upon request.	This is a technical standard not addressed in this rulemaking.
Technical sections	165.0605-0612	WSTA	Do not change the wording in the technical standards from "objectives" to "standards."	Page 14	Now called "standards" formerly known as objectives. The renaming shifts the emphasis from "here's what we're aiming for as part of our plan to serve customers" to "here's what the Commission is requiring us to do." The next addition will be penalties for not meeting standards.	Disagree. The Commission rejected the argument that these rule provisions were objectives rather than standards in docket 05-TI-157. Use of the word "shall" in the rule language indicates the mandatory. Therefore, these provisions include mandatory requirements and not merely objectives.

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Technical sections	165.0605-0612	SBC Ameritech	Do not change the wording in the technical sections of the rules from "objectives" to "standards."	Pages 22-23	<p>The language of the technical sections was changed from "objectives" to "standards" even though Jane Zemlicka testified that there were no changes to the technical sections of PSC 165. The requirement that a provider operate with the goal of meeting a certain objective is readily distinct from an unqualified requirement that the provider meet a particular standard.</p> <p>If the Commission's intent is not to alter the substance of the technical requirements in this rulemaking, it must not adopt the changes of the term "objective" to "standard" in the technical portion of PSC 165.</p> <p>If the Commission wishes to tighten existing requirements, as the plain meaning of the proposed language changes suggests, then the Commission must comply with the requirements of Wis. Stats. ch. 227 with respect to notice, analysis, hearing and comment on those particular substantive changes.</p>	<p>Disagree. The Commission rejected the argument that these rule provisions were objectives rather than standards in docket 05-TI-157. Use of the word "shall" in the rule language indicates the mandatory. Therefore, these provisions include mandatory requirements and not merely objectives.</p>
Technical sections	165.0609	AT&T	Delete this section.	Page 29	<p>AT&amp;T has no direct means to measure this requirement except when the trunks or lines are first activated.</p> <p>This rule proposal would require extensive systems and software development, the costs of which would be passed on to customers.</p>	<p>This is a technical standard not addressed in this rulemaking.</p>
Telecommunications assistance programs	165.0307	Wisconsin State Telecommunications Association	Providers shouldn't be obligated to provide assistance programs if they have limited customer information pursuant to PSC 165.0301.	Page 21f		<p>Disagree. PSC 165.0301(1)(c) allows providers to request additional information and PSC 160.06(1) requires providers to obtain specific information upon application for service to verify eligibility.</p>

<i>Topic</i>	<i>Old rule section</i>	<i>Company</i>	<i>Suggestion/comment</i>	<i>Location</i>	<i>Reason for comment</i>	<i>Response</i>
Telecommu nications assistance programs	165.0307	AT&T	There should be a reference that this section only applies to local service providers.	Page 22	Language is unclear as to whether or not section applies only to local service providers.	Agree in part. Only applies to providers who are furnishing local exchange service and only to their local service operations.
Telecommu nications assistance programs	165.0307	Charter Communicati ons	Delete. It should not apply to competitors.	Page 9	This requirement is simply a barrier to entrance for competitors.  This requirement is placed on a provider who is not eligible for any high cost or high risk reimbursement for such customers and who is not a monopoly provider required to provide such services.	Agree in part. This requirement is only placed on a provider when the Commission determines it is necessary. And then it only applies to the targeted population. It does not require all providers to serve all customers in the target population.
Telecommu nications assistance programs	165.0307	Powercom	Exempt CLECs.	Page 2	Powercom cannot afford the costs of providing this service or administering such a program.  This is a counter productive proposal intended to "expense" them out of the marketplace.	Agree in part. This requirement is only placed on a provider when the Commission determines it is necessary. And then it only applies to the targeted population. It does not require all providers to serve all customers in the target population.
Telecommu nications assistance programs	165.0307	Time Warner Telecom of Wisconsin, L.P.	Add language to clarify that this provision applies only to ILEC and/or providers who have carrier of last resort obligations.	Page 16	this provision does not make sense when applied to CLECs who may not service the "target population."  TWTC serves only business customers. It doesn't make sense to require TWTC to invest the time and expense in designing a program targeted to low income residential customers when TWTC doesn't serve residential customers.	Agree in part. This requirement is only placed on a provider when the Commission determines it is necessary. And then it only applies to the targeted population. It does not require all providers to serve all customers in the target population.

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Telecommu nications assistance programs	165.0307	Verizon	Delete entire section. It is unnecessary additional regulation and there is such a program in PSC 160.08.	Page 13	Section just adds more layers of unnecessary regulation.  There is already a program for telecommunications customer assistance detailed in PSC 160.08.	Agree in part. This requirement is only placed on a provider when the Commission determines it is necessary. PSC 160.08 allows providers to create TelCAP programs and receive USF funding for them.
Telecommu nications assistance programs	165.0307	WSTA	WSTA would like the rule to include the process for identifying a target population.	Page 9	Language in this section should have been suggested when PSC 160 was revised.  Verizon has an existing assistance program that is meeting the needs of its customers. Enrollment in the Verizon Lifeline program has increased 7% from January through May, 2002.	Disagree. The Commission has many processes at its disposal with which it could identify a target population. Any of them would involve public and industry input.
Telecommu nications assistance programs	165.0307 (1)	Verizon	If not deleted, revise this section to read, "Where providers have established telecommunications customer assistance programs within their service territories the goals and objectives of the programs shall be to increase or stabilize subscription levels for non-optional essential telephone service."	Page 13	Language reflects what telcos like Verizon are already doing.	Supportive. Current language is not inconsistent with current programs. Provider-established programs are dealt with in PSC 160.08. This subsection in PSC 165 allows the PSC to establish such programs.
Waivers		WorldCom, Inc.	Rules should not apply, or exemptions to specific sections of the rules should be granted, when CLEC performance is impacted by LEC dependency.	Page 3	The Commission must recognize the fact that there are many aspects of local telephone service over which dependent CLECs have no control. Therefore, different levels of regulation are necessary.	The Commission has reconsidered applicability issues as part of its review of individual rule sections. Certain changes have been made based on a CLEC's dependence on a LEC.  If these changes do not address a particular provider's situation, that provider can always request, under this provision, that different requirements be adopted for it as a result of an unusual situation.

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Waivers	165.0101 (2)	SBC Ameritech	Tighten language so only applies in emergency situations, with good cause shown, for a maximum of one year.	Page 4	The proposed rules too easily allow selective application, with the prospect of the Commission imposing on any one or more providers "lesser, greater, other, or different" standards in "exceptional or unusual situation."	Disagree. This is existing rule language which appears in many other Commission rules. It limits waivers by requiring "unusual or exceptional circumstances" after considering the facts and circumstances of the particular request.
Waivers	165.0101 (2)	TDS Telecom	Supports retained ability to request "waivers" from the rules.	Pgs. 1 & 11		The Commission needs flexibility to address the variety of requests it may receive from various types of providers.  When a sunset is appropriate, the Commission has imposed them. In other cases, including some where SBC has requested and received "waivers", mandatory sunset provisions don't make sense.
Waivers	165.0101 (2)	Time Warner Telecom of Wisconsin, L.P.	Add language to outline how a provider would obtain a waiver and under what circumstances a waiver would be granted.	Page 10 - 11	The provisions for requesting waivers are unclear. The rule fails to outline how a company would obtain a waiver and under what circumstances a waiver would be granted.	This is existing rule language which appears in many other Commission rules. It already says that waivers are available in "unusual or exceptional circumstances" after considering the facts and circumstances of the particular request. Further specification of those terms is not practical. The Commission needs flexibility to address the variety of requests it may receive from various types of providers.
Waivers	165.0101 (2)	WorldCom, Inc.	Waivers should be granted for certain sections of the rules.	Pg. 4	Waivers should be granted where the rule is technically infeasible, economically impractical or would be harmful to the provider's ability to compete with the ILEC.	Many rule provisions require knowledge of Commission administrative procedures, which are set out in PSC 2. Specifically, PSC 2.07 outlines how to a request Commission action, such as granting a waiver.  This section of the proposed rule retains the language from existing rule language that allows the Commission to adopt different requirements in unusual situations. Any provider can petition for such a "waiver" based on its particular circumstances.
					If a CLEC applies for a waiver to parts of the rule and is later denied, the CLEC should be allowed sufficient time to build systems in order to come into compliance with the rules.	Redrafting based on comments also addresses applicability of certain sections to CLECs.  The Commission has granted implementation schedules as a result of "waiver" requests in the past. Creating such an implementation schedule is one of the "different requirements" that the Commission may adopt in unusual situations.